

SENATE JOURNAL
SIXTY-SIXTH LEGISLATURE
STATE OF WASHINGTON
AT
OLYMPIA, THE STATE CAPITOL

2020 Regular Session
Convened January 13, 2020
Adjourned Sine Die March 12, 2020

Volume 1



Official Record of All Senate Actions Compiled, Edited and Indexed
Pursuant to Article II, Section 11 of the Constitution of the State of Washington

Sean T. Kochaniewicz,
Journal Clerk

Brittany Yunker Carlson,
Minute and Status Clerk

Lieutenant Governor Cyrus Habib, *President of the Senate*
Senator Karen Keiser, *President Pro Tempore*
Senator Steve Conway, *Vice President Pro Tempore*
Brad Hendrickson, *Secretary of the Senate*

SENATE CAUCUS OFFICERS

2020

DEMOCRATIC CAUCUS

Majority Leader Andy Billig
Majority Caucus Chair John McCoy
Majority Floor Leader Marko Lias
Majority Whip Mark Mullet
Majority Deputy Leader Manka Dhingra
Majority Deputy Leader Rebecca Saldaña
Majority Caucus Vice Chair Bob Hasegawa
Majority Assistant Floor Leader Patty Kuderer
Majority Assistant Whip Claire Wilson

REPUBLICAN CAUCUS

Republican Leader Mark Schoesler
Republican Caucus Chair Randi Becker
Republican Floor Leader Shelly Short
Republican Whip Ann Rivers
Republican Caucus Deputy Leader Sharon Brown
Republican Caucus Vice Chair Judy Warnick
Republican Assistant Floor Leader Brad Hawkins
Republican Assistant Whip Ron Muzzall

=====

Secretary of the Senate Brad Hendrickson
Deputy Secretary Sarah Bannister

TABLE OF CONTENTS

VOLUME 1

Regular Session, First Day, January 13, 2020 through, Fifty-Second Day, March 4, 2020.....	1-851
---	-------

VOLUME 2

Regular Session, (continued) Fifty-Third Day, March 5, 2020 through Sixtieth Day, March 12, 2020.....	852-1808
--	----------

VOLUME 3

Roster of Members and Committee Assignments	1809-1816
Roster of Staff and Other Employees	1817-1827
Governor's Messages	
Senate Bills Signed After Adjournment	1828-1838
Veto and Partial Vetoes on Senate Bills.....	1839-1848
Gubernatorial Appointments.....	1849-1851
Proclamations by the Governor in response to the COVID-19 pandemic (through October 31, 2020).....	1852-2425
Bills, Memorials and Resolutions	
Passed by Both Houses	2426-2433
History of Bills and Other Measures	2434-2464
Other Senate Actions	2465-2470
Reports to the Legislature	2471-2483
General Index.....	2484-2652

FIRST DAY

NOON SESSION

Senate Chamber, Olympia
Monday, January 13, 2020

The Senate was called to order at 12:04 p.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present. The Washington State Patrol Honor Guard, composed of Trooper Eifert, Trooper Gallanger, Trooper Maguire, and Trooper Tobol presented the Colors. The National Anthem was performed both in song and sign by high school students in the American Sign Language Program at River Ridge High School in Lacey, led by Ms. Cathy Boos. Father Michael Holland of St. Leo’s Parish, Tacoma offered the prayer.

INTRODUCTION OF SPECIAL GUEST

The President welcomed and introduced Ms. Claudia Castro, Washington State Poet Laureate, who was seated at the rostrum. With the permission of the Senate, business was suspended to allow Washington State Poet Laureate Claudia Castro to address the Senate.

Poet Laureate Ms. Claudia Castro: “Thank you Honorable Lieutenant Governor. Good morning members of the Senate. It is an honor to be here this morning as the Poet Laureate of Washington State to contribute with poetry to this important occasion, which underscores the working of our democracy”

Morning Star

*Along the way
you do things
you don’t want to do,
things, you know
you should not do,
things you don’t know
how to stop doing.
No one can see beyond
the wave’s crest.
Then you find yourself
sitting there, wherever you are
blemished and imperfect.
That is life. This carrying on
of our dented selves
alongside the spoonful of sugar
we also carry within.
A sweet grain
for each good, right thing
we too have done
along the way.*

REMARKS BY THE PRESIDENT

President Habib: “Now, the moment you’ve all been waiting for, the President’s welcome remarks. That’s what it says here on the script. I want to begin by wishing everyone a very Happy New Year. I hope that however you celebrated the holidays and the new year that every member of this chamber and those who work with us here in the Washington State Senate had the opportunity to enjoy time with loved ones and a time to celebrate all that was good in 2019 and look forward to 2020.

I want to just say a couple things real briefly. First of all, we can’t do this enough. We can’t say this enough. How much we,

who are in elected office, rely on and appreciate the hard work of those who work here, not in elected office, but who are parts of our staffs whether as working for individual members or in the partisan or nonpartisan staffs working in as part of our security under the Sergeant at Arms. All those who make the Senate and indeed the entire Legislature function so well. We say it all the time and yet I’m continually convinced that the public does not fully recognize the degree to which we are all successful because of them and while I know that members did in many cases work straight through the interim, all of these folks work year-round and for them the distinction between session and interim is not nearly what it is for the members of the Senate. So, would you please join me in thanking all the work that the staff did during the interim months before we got back here?”

The senate rose and recognized the staff of the senate.

“I also want to say a word of welcome to all those who are visiting us as guests in the gallery, in the galleries this afternoon. You may be here to witness the swearing in of friend or loved one. Or you may just be here to observe your government in action but please know how welcome members of the public are here in the Washington State Senate. We’re so proud of our tradition of open government here and that these galleries are not only open and available but indeed welcoming to members of the public of all ages and we particularly love it when young people come to learn about how the Senate works. And so, please know that during these sixty days members of the public are warmly invited and of course we love it when members of the families of our senators have an opportunity to come and visit us because we know the kinds of sacrifices that families make in order to allow all of you here to do your jobs.

I want to say one more thing before we begin the ceremony of swearing in three members of the Senate. I want to recognize that there are two senators who left this chamber and but did so after we had adjourned sine die last year and so we are going to be swearing in and celebrating their replacements in just a moment but I do want to take a moment to recognize the work that they both put in. Senator Guy Palumbo of the 1st Legislative District and Senator Barbara Bailey of the 10th District both of whom I was very fortunate to get a chance to work with and get to know over the years. And I want to make a special note of Senator Barbara Bailey, just simply because of the years of service that she put into this institution to the House, to the Senate at the state of Washington. Her care for those who are marginalized. Near and dear to my heart is her care for those with disabilities which came through in so many different ways in legislation and budget items, but we wish both Senator Palumbo and Senator Bailey all the best and I know they’ll be opportunities to celebrate their legacies.

Finally, on a personal note, I want to say that please know, I say this to all the senators, you know I hope you know that if there’s something I do with which you disagree while we’re in the floor session here please feel free to come to me speak to me about it. If there’s anything that is making your time here your ability to represent your district challenging or causing any anxiety for you or obstacle to you in getting what you need done, I know I speak for the Secretary of the Senate Brad Hendrickson, the Sergeant at Arms Andy Staubitz, the other folks up here at the rostrum, when I say, please come to us directly we’re here to support you. I’m here to support you and so too are all the rest of these fine folks who work so hard. So, once again, congratulations on all of you for being here on the first day and for what I know will be a very productive session ahead.”

MOTION

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

LETTER OF RESIGNATION

Office of the Governor
Legislative Building
416 Sid Snyder Avenue, SW
Suite 200
Olympia, WA 98504

RE: Resignation from the Washington State Senate as of May 24th, 2019

Dear Governor Inslee,

I am writing to notify you that I am resigning as Senator for the 1st Legislative District effective May 24th, 2019 at 9 AM.

Therefore, pursuant to RCW 42.12.020, please accept my resignation from the Washington State Senate accordingly.

If you have any questions, or if I may provide any additional information, please do not hesitate to contact me.

Sincerely,

/s/

Guy F. Palumbo

LETTER OF RESIGNATION

August 16, 2019

Governor Jay Inslee
Office of the Governor
PO Box 40002
Olympia, WA 98504-0002

Governor Inslee:

After much prayer and discussion with my family, I have made the decision to step down from my Senate seat effective September 30th, 2019. This decision was not taken lightly; however, I believe now is the best time to make this move. I have been giving this decision a lot of thought for the past 3-4 months. Spending quality time with my family and church has been difficult at best, and unworkable at other times. There are significant projects and ventures in which my husband and I want to be involved while we are still reasonably healthy and mobile.

I leave with a great sense of accomplishment of some significant issues which were passed into law, and which have made life for our citizens more efficient and meaningful. Specifically, making higher education more affordable in our public institutions, better support for our veterans and their dependents, improved health care for our aging population, and as Chair of the Select Committee for Pension Policy, ensuring long-term sustainability at a time when other pension systems around the country were in crisis. Our pension system now ranks among the most stable in the nation.

I plan to stay engaged with those programs affecting the well-being of our senior citizens to ensure they have improved access and resources for their care and dignity. It has been my honor to have served the state of Washington, and specifically the citizens of the 10th District. I will always be available for consultation and continued service when and where needed.

Respectfully,

/s/

Barbara Bailey
Washington State Senator
District 10

MESSAGE FROM THE SECRETARY OF STATE

July 11, 2019

To Mr. Brad Hendrickson
Secretary of the Senate
Legislative Building
Olympia, WA 98501

I, Kim Wyman, Secretary of the State of Washington and custodian of the State Seal, do hereby certify that the attached is a true and correct copy of the County Resolutions now on file with the Secretary of State relating to the resignation of Guy Palumbo from the office of State Senator for the 1st Legislative District of the State of Washington, and the appointment of Derek Stanford to fill the vacancy created thereby.

I further certify that Derek Stanford has been duly appointed by a joint motion of the Snohomish County Council and Metropolitan King County Council making an appointment to fill the vacancy in the position of State Senator for the 1st Legislative District.



IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Washington on this 11th Day of July 2019, at Olympia, the State Capital.

/s/

Kim Wyman
Secretary of State

SNOHOMISH COUNTY AND KING COUNTY
Signature Report

Amended Joint Motion 154 38

Snohomish County Motion No.: 19-195	Snohomish County Sponsors: Not Required
King County Motion No.: 2019-0285	King County Sponsors: Rod Dembowski

A JOINT MOTION of the Snohomish County Council and Metropolitan King County Council making an appointment to fill the vacancy in the position of state senator for the 1st legislative district.

WHEREAS, a vacancy exists in the position of state senator for the 1st legislative district due to the resignation of Senator Guy Palumbo, and

WHEREAS, the 1st legislative district is a multicounty legislative district, including parts of Snohomish County and King County, and

WHEREAS, Article II, Section 15 of the Washington state Constitution provides that in the event of a vacancy occurring in a multicounty legislative district the vacancy shall be filled by joint action of the legislative authorities of the respective counties from a list of three candidates nominated by the state central committee of the same political party as the legislator whose office is vacated, and

WHEREAS, the candidates must reside in the 1st legislative district and be of the same political party as the legislator whose office is vacated, and

WHEREAS, the Washington State Democrats Central Committee has submitted the names of three constitutionally

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

qualified candidates to fill the vacancy created by Senator Palumbo’s resignation, and

ISLAND COUNTY, SKAGIT COUNTY, AND SNOHOMISH COUNTY
AMENDED JOINT RESOLUTION AND MOTION

WHEREAS, to obtain information from the candidates about their qualifications and views each county legislative authority has either interviewed them or provided them with a written questionnaire;

AMENDED JOINT RESOLUTION AND MOTION RE: APPOINTMENT TO FILL VACANCY IN THE POSITION OF STATE SENATOR FOR THE 10TH LEGISLATIVE DISTRICT ISLAND COUNTY NO. C-94-19 SKAGIT COUNTY NO. R20190178 SNOHOMISH COUNTY MOTION NO. 19-338

NOW, THEREFORE, BE IT MOVED by the Snohomish County Council and King County Council:

A. Derek Stanford, one of the three nominees, is hereby appointed to the position of state senator for the 1st legislative district in the Washington state Senate and continuing until a successor is elected at the next general election, and has qualified.

B. The clerks of the councils shall provide a copy of this joint motion to the clerk of the Washington state Senate, the governor of the state of Washington and the chair of the Washington State Democrats Central Committee.

WHEREAS, a vacancy exists in the position of state senator for the 10th legislative district due to the resignation of Senator Barbara Bailey; and

WHEREAS, the 10th legislative district is a multicounty legislative district, including Island County and parts of Skagit County and Snohomish County; and

Joint Motion; Snohomish County Motion No. 19-195 and King County Motion No. 2019-0285 and, was passed by the Snohomish County Council and King County Council on July 1, 2019, as amended, by the following vote: Weighted Vote, approved six to zero.

WHEREAS, Article II, Section 15 of the Washington state Constitution provides that in the event of a vacancy occurring in a multicounty legislative district, the vacancy shall be filled by joint action of the legislative authorities of the respective counties from a list of three candidates nominated by the state central committee of the same political party as the legislator whose office is vacated; and

Snohomish County Council
Snohomish County, Washington
Attest:

WHEREAS, the candidates must reside in the 10th legislative district and be of the same political party as the legislator whose office is vacated; and

/s/ Terry Ryan, Council Chair
Debbie Eco, Clerk of the Council

WHEREAS, the Washington State Republican Central Committee has submitted the names of three constitutionally qualified candidates to fill the vacancy created by Senator Bailey’s resignation; and

King County Council
King County, Washington
/s/ Rob Dembowski, Chair
Melani Pedroza, Clerk of the Council

WHEREAS, to obtain information from the candidates about their qualifications and views, each county legislative authority has either interviewed them or provided them with a written questionnaire.

MESSAGE FROM THE SECRETARY OF STATE

October 29, 2019

To Mr. Brad Hendrickson
Secretary of the Senate
Legislative Building
Olympia, WA 98501

NOW, THEREFORE, BE IT MOVED AND RESOLVED by the Board of Island County Commissioners, the Board of Skagit County Commissioners and the Snohomish County Council:

I, Kim Wyman, Secretary of the State of Washington and custodian of the State Seal, do hereby certify that the attached is a true and correct copy of the County Resolutions now on file with the Secretary of State relating to the resignation of Barbara Bailey from the office of State Senator for the 10th Legislative District of the State of Washington, and the appointment of Ron Muzzall to fill the vacancy created thereby.

A. Ron Muzzall, one of the three nominees submitted by the Washington State Republican Central Committee, is hereby appointed to the position of state senator for the 10th legislative district in the Washington State Senate and continuing until a successor is elected at the next general election, and has qualified.

I further certify that Ron Muzzall has been duly appointed by a joint motion of the Island County

B. The clerks of the council and boards shall provide a copy of this joint resolution and motion to the Clerk of the Washington State Senate, the Governor of the State of Washington and the Chair of the Washington State Republican Central Committee.

Board of Commissioners, the Skagit County Board of Commissioners and the Snohomish County Council making an appointment to fill the vacancy in the position of State Senator for the 10th Legislative District.

Amended Resolution and Motion re Appointment to Fill Vacancy in the Position of State Senator for the 10th Legislative District
Island County No. C-94-19
Skagit County No. R20190178
Snohomish County Motion No. 19-338

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Washington on this 29th Day of October 2019, at Olympia, the State Capital.

Joint Resolution and Motion, Island County No. C-94-19, Skagit County No. R20190178, and Snohomish County Motion No. 19-338 was passed by the Island County Board of Commissioners, the Skagit County Board of Commissioners and the Snohomish County Council by the following weighted vote approved 9 to 0.



/s/ Kim Wyman
Secretary of State

APPROVED this 18th day of October, 2019.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON
/s/ Jill Johnson, Chair

Attest: /s/ Janet St. Clair, Member
 /s/ RECUSED
 Debbie Thompson Helen Price Johnson, Member
 Clerk of the Board

**SNOHOMISH COUNTY COUNCIL
 SNOHOMISH COUNTY, WASHINGTON**

Attest: /s/ Terry Ryan, Council Chair
 /s/
 Debbie Eco, Clerk of the Council

**BOARD OF COUNTY COMMISSIONERS
 SKAGIT COUNTY, WASHINGTON**

Attest: /s/ Lisa Janicki, Chair
 /s/
 Linda Hammons Clerk of the Board
 Approved as to form: Ron Wesen, Commissioner
 /s/ /s/
 Skagit County Kenneth A. Dahlstedt,
 Deputy Prosecuting Attorney Commissioner

MESSAGES FROM THE SECRETARY OF STATE

**Canvass of the Returns of the General Election
 Held on November 5, 2019**

I, Kim Wyman, Secretary of State of the State of Washington, do hereby certify that according to the provisions of RCW 29A.60.250, I have canvassed the returns of the 2,035,401 votes cast in the November 5, 2019 General Election by the registered voters of the state for all statewide measures and those legislative and judicial offices whose jurisdiction encompasses more than one county, as received from the County Auditors. The votes cast for these measures and these candidates are as follows:

Referendum Measure No. 88

The legislature passed Initiative Measure No. 1000 concerning affirmative action and remedying discrimination, and voters have filed a sufficient referendum petition on this act. Initiative 1000 would allow the state to remedy discrimination for certain groups and to implement affirmative action, without the use of quotas or preferential treatment (as defined), in public education, employment, and contracting.

Approved	952,053
Rejected	973,610

Initiative Measure No. 976

Initiative Measure No. 976 concerns motor vehicle taxes and fees. This measure would repeal, reduce, or remove authority to impose certain vehicle taxes and fees; limit annual motor-vehicle-license fees to \$30, except voter-approved charges; and base vehicle taxes on Kelley Blue Book value.

Yes	1,055,749
No	936,751

Advisory Vote No. 20

Second Substitute House Bill 1087

The legislature imposed, without a vote of the people, an additional wage premium for long-term care services, costing an indeterminate amount in its first ten years, for government spending.

Repealed	1,160,463
Maintained	683,870

Advisory Vote No. 21

Engrossed Third Substitute House Bill 1324

The legislature extended, without a vote of the people, the business and occupation tax for extracting, manufacturing, and selling timber and timber-related products, costing \$21,000,000 in its first ten years, for government spending.

Repealed	1,094,028
Maintained	763,429

Advisory Vote No. 22

Substitute House Bill 1652

The legislature increased, without a vote of the people, retail sales tax on architectural paint by adding an assessment to the purchase price, costing \$6,000,000 in its first ten years, for government spending.

Repealed	1,144,394
Maintained	700,391

Advisory Vote No. 23

Engrossed Second Substitute House Bill 1873

The legislature imposed, without a vote of the people, a tax on the sale, use, consumption, handling, possession, and distribution of vapor products costing \$178,000,000 in its first ten years, for government spending.

Repealed	621,440
Maintained	1,256,542

Advisory Vote No. 24

Engrossed Second Substitute House Bill 2158

The legislature imposed, without a vote of the people, an additional service and other business and occupation tax for certain specified business activities, costing \$2,253,000,000 in its first ten years, for government spending.

Repealed	1,140,727
Maintained	680,183

Advisory Vote No. 25

Substitute House Bill 2167

The legislature imposed, without a vote of the people, an additional business and occupation tax for certain specified financial institutions, costing \$1,036,000,000 in its first ten years, for government spending.

Repealed	1,013,783
Maintained	816,936

Advisory Vote No. 26

Substitute Senate Bill 5581

The legislature expanded, without a vote of the people, application of the state tax code to certain remote sellers, marketplace facilitators, and others, costing \$1,051,000,000 in its first ten years, for government spending.

Repealed	1,0098,275
Maintained	818,192

Advisory Vote No. 27

Engrossed Substitute Senate Bill 5993

The legislature increased, without a vote of the people, taxes on petroleum products, costing \$2,760,000,000 in its first ten years, for government spending.

Repealed	1,129,203
Maintained	728,566

Advisory Vote No. 28

Engrossed Substitute Senate Bill 5997

The legislature increased, without a vote of the people, sales and use taxes on certain nonresidents by limiting the exemption applicable to them, costing \$313,000,000 in its first ten years, for government spending.

Repealed	819,232
Maintained	1,012,991

Advisory Vote No. 29

Engrossed Substitute Senate Bill 5998

The legislature increased, without a vote of the people, the real estate excise tax on certain sales of real property, costing \$1,747,000,000 in its first ten years, for government spending.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

Repealed 1,188,272
Maintained 645,358

in the Office of the Secretary of State. This list contains newly elected as well as returning Senators.

Advisory Vote No. 30

Engrossed Substitute Senate Bill 6004

The legislature increased, without a vote of the people, the business and occupation tax on certain travel agents and tour operators, costing \$28,000,000 in its first ten years, for government spending.

Repealed 1,021,792
Maintained 809,164

Advisory Vote No. 31

Engrossed Senate Bill 6016

The legislature increased, without a vote of the people, the business and occupation tax on certain international investment management services, costing \$367,000,000 in its first ten years, for government spending.

Repealed 792,401
Maintained 1,039,887

Senate Joint Resolution No. 8200

The legislature has proposed a constitutional amendment concerning legislative powers in times of emergency. This measure would add “catastrophic incidents” to the specified times of emergency that the legislature may take certain immediate actions to ensure continuity of state and local governmental operations.

Approved 1,247,265
Rejected 670,086

Legislative District 13 State Representative Position 2

Ballot Name	Party Preference	Votes
Alex Ybarra	(Prefers Republican Party)	24,211
Steve Verhey	(Prefers Democratic Party)	8,271

Legislative District 40 State Senator

Ballot Name	Party Preference	Votes
Elizabeth (Liz) Lovelett	(Prefers Democratic Party)	35,061
Daniel Miller	(Prefers Republican Party)	14,908

Court of Appeals, Division 2, District 3 -Judge Position 2

Ballot Name	Party Preference	Votes
Anne Crusier	Nonpartisan	109,551

Pacific, Wahkiakum Superior Court -Judge Position 1

Ballot Name	Party Preference	Votes
Michael S. Turner	Nonpartisan	3,927
Donald J. Richter	Nonpartisan	4,359



IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Washington on this 2nd Day of December 2019, at Olympia, the State Capital.

/s/
Kim Wyman
Secretary of State

**The Honorable President of the Senate
The Legislature of the State of Washington Olympia,
Washington**

Mr. President:

I, Kim Wyman, Secretary of State of the state of Washington, do hereby certify that the following is a full, true, and correct list of persons elected to the Office of State Senator, as shown by the official returns of the November 5, 2019 General Election on file

Senators Elected November 5, 2019

Dist.	Name	Party Preference	Counties Represented
40	Elizabeth (Liz) Lovelett	Prefers Democratic Party	San Juan, Skagit, Whatcom

Returning Senators

Dist.	Name	Party Preference	Counties Represented
1	Derek Stanford	Prefers Democratic Party	King, Snohomish
2	Randi Becker	Prefers Republican Party	Pierce, Thurston
3	Andy Billig	Prefers Democratic Party	Spokane
4	Mike Padden	Prefers Republican Party	Spokane
5	Mark Mullet	Prefers Democratic Party	King
6	Jeff Holy	Prefers Republican Party	Spokane
7	Shelly Short	Prefers Republican Party	Ferry, Okanogan, Pend Oreille, Spokane, Stevens Benton
8	Sharon Raye Brown	Prefers Republican Party	
9	Mark G. Schoesler	Prefers G.O.P Party	Adams, Asotin, Franklin, Garfield, Spokane, Whitman
10	Ron Muzzall	Prefers Republican Party	Island, Skagit, Snohomish
11	Bob Hasegawa	Prefers Democratic Party	King
12	Brad Hawkins	Prefers Republican Party	Chelan, Douglas, Grant, Okanogan
13	Judy Warnick	Prefers Republican Party	Grant, Kittitas, Lincoln, Yakima
14	Curtis King	Prefers Republican Party	Clark, Klickitat, Skamania, Yakima
15	Jim Honeyford	Prefers GOP Party	Yakima
16	Maureen Walsh	Prefers Republican Party	Benton, Columbia, Franklin, Walla Walla Clark
17	Lynda Wilson	Prefers Republican Party	Clark
18	Ann Rivers	Prefers Republican Party	Clark
19	Dean Takko	Prefers Democratic Party	Cowlitz, Grays Harbor, Lewis, Pacific, Wahkiakum
20	John Braun	Prefers Republican Party	Clark, Cowlitz, Lewis, Thurston Snohomish
21	Marko Liias	Prefers Democratic Party	Snohomish
22	Sam Hunt	Prefers Democratic Party	Thurston
23	Christine Rolfes	Prefers Democratic Party	Kitsap
24	Kevin Van De Wege	Prefers Democratic Party	Clallam, Grays Harbor, Jefferson Pierce
25	Hans Zeiger	Prefers Republican Party	Pierce
26	Emily Randall	Prefers Democratic Party	Kitsap, Pierce
27	Jeannie Darneille	Prefers Democratic Party	
28	Steve O’Ban	Prefers Republican Party	Pierce
29	Steve Conway	Prefers Democratic Party	Pierce
30	Claire Wilson	Prefers Democratic Party	King, Pierce
31	Phil Fortunato	Prefers Republican Party	King, Pierce
32	Jesse Salomon	Prefers Democratic Party	King, Snohomish
33	Karen Keiser	Prefers Democratic Party	King
34	Joe Nguyen	Prefers Democratic Party	King
35	Tim Sheldon	Prefers Democratic Party	Kitsap Mason, Thurston King
36	Reuven M. Carlyle	Prefers Democratic Party	King
37	Rebecca Saldana	Prefers Democratic Party	King
38	John McCoy	Prefers Democratic Party	Snohomish
39	Keith L. Wagoner	Prefers Republican Party	King Skagit, Snohomish
41	Lisa Wellman	Prefers Democratic Party	King
42	Doug Ericksen	Prefers Republican Party	Whatcom
43	Jamie Pedersen	Prefers Democratic Party	King
44	Steve Hobbs	Prefers Democratic Party	Snohomish
45	Manka Dhingra	Prefers Democratic Party	King

<i>Dist.</i>	<i>Name</i>	<i>Party Preference</i>	<i>Counties Represented</i>
46	David Frockt	Prefers Democratic Party	King
47	Mona Das	Prefers Democratic Party	King
48	Patty Kuderer	Prefers Democratic Party	King
49	Annette Cleveland	Prefers Democratic Party	Clark



IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Washington on this 2nd Day of December 2019, at Olympia, the State Capital.

/s/
Kim Wyman
Secretary of State

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Dhingra and Padden to escort Washington State Supreme Court Chief Justice Debra Stephens to the rostrum.

The President welcomed and introduced the Honorable Debra Stephens, Chief Justice of the Supreme Court of the state of Washington, who was present to administer the oath of office to the newly elected and appointed senators.

APPOINTMENT OF SPECIAL COMMITTEE

The President of the Senate appointed a committee of honor consisting of Senators Kuderer and Zeiger to escort Washington Secretary of State Kim Wyman to the rostrum.

The President welcomed and introduced the Honorable Kim Wyman, Secretary of State of the state of Washington, who was in attendance to present certificates of election and appointment to the newly elected and appointed members.

The Secretary called the roll of the newly elected Senator.

The Sergeant at Arms escorted Senator Lovelett to the rostrum. Chief Justice Stephens thereupon administered the oath of office to Senator Lovelett.

Secretary of State Wyman presented a certificate of election to Senator Lovelett.

The Sergeant at Arms escorted Senator Lovelett to her seat in the chamber.

The Secretary called the roll of the newly appointed Senators.

The Sergeant at Arms escorted each newly appointed Senator, in turn, to the rostrum.

Chief Justice Stephens thereupon administered the oath of office, in turn, to Senators Muzzall and Stanford.

Secretary of State Wyman presented, in turn, a certificate of election to each of the newly appointed Senators.

The Sergeant at Arms escorted, in turn, each of the newly appointed Senators to their seats in the chamber.

The President thanked Chief Justice Debra Stephens for her service and offered her congratulations on being named Chief Justice of the Supreme Court of the State of Washington. The President called upon the committee of honor to escort the Chief Justice from the rostrum.

The committee of honor escorted Chief Justice Debra Stephens from the chamber.

The President thanked Secretary Kim Wyman for her service and called upon the committee of honor to escort the Secretary from the rostrum.

The committee of honor escorted Secretary of State Kim Wyman from the chamber.

MOTION

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

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION 8657

By Senator Liias

WHEREAS, The Senate adopted permanent rules for the 2019-2021 biennium under Senate Resolution 8601; and

WHEREAS, The notice requirements set forth in Senate Rule 35 have been satisfied;

NOW, THEREFORE, BE IT RESOLVED, That Rules 41, 45, and 49 are amended as follows:

“**Rule 41.** The president shall appoint all conference, special, joint and standing committees and standing subcommittees on the part of the senate. The appointment of the conference, special, joint and standing committees and standing subcommittees shall be confirmed by the senate.

In the event the senate shall refuse to confirm any conference, special, joint or standing committee or standing subcommittee, such committee or standing subcommittee shall be elected by the senate.

The following standing committees shall constitute the standing committees of the senate:

Standing Committee	Total Membership
1. Agriculture, Water, Natural Resources & Parks	7
2. Early Learning & K-12 Education	11
3. Environment, Energy, & Technology	15
4. Financial Institutions, Economic Development & Trade	7
5. Health & Long-Term Care	11
6. Higher Education & Workforce Development	((7)) 5
7. Housing Stability & Affordability	7
8. Human Services, Reentry & Rehabilitation	7
9. Labor & Commerce	((7)) 9
10. Law & Justice	7
11. Local Government	5
12. Rules	16 (plus the Lieutenant Governor)
13. State Government, Tribal Relations & Elections	7
14. Transportation	15
15. Ways & Means	24

The following constitutes a standing subcommittee of the senate:

1. Behavioral Health Subcommittee to Health & Long-Term Care	5”
--	----

“**Rule 45.** 1. At least five days’ notice shall be given of all public hearings held by any committee other than the rules committee. Such notice shall contain the date, time and place of such hearing together with the title and number of each bill, or identification of the subject matter, to be considered at such hearing. By a majority vote of the committee members present at any committee meeting such notice may be dispensed with. The reason for such action shall be set forth in a written statement preserved in the records of the meeting.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

2. No committee may hold a public hearing during a regular or extraordinary session on a proposal identified as a draft unless the draft has been made available to the public at least twenty-four hours prior to the hearing. This rule does not apply during the five days prior to any cutoff established by concurrent resolution nor does it apply to any measure exempted from the resolution.

3. During its consideration of or vote on any bill, resolution or memorial, the deliberations of any committee or subcommittee of the senate shall be open to the public. In case of any disturbance or disorderly conduct at any such deliberations, the chair shall order the sergeant at arms to suppress the same and may order the meeting closed to any person or persons creating such disturbance.

4. No committee shall amend a measure, adopt a substitute bill, or vote upon any measure or appointment absent a quorum. A committee may conduct a hearing absent a quorum. A majority of any committee shall constitute a quorum and committees shall be considered to have a quorum present unless the question is raised. Any question as to quorum not raised at the time of the committee action is deemed waived.

5. Bills reported to the senate from a standing committee must have a majority report, which shall be prepared upon a printed standing committee report form; shall be adopted at a regularly or specially called meeting during a legislative session and shall be signed by a majority of the committee; and shall carry only one of the following recommendations:

- a. Do pass;
- b. Do pass as amended;
- c. That a substitute bill be substituted therefor, and the substitute bill do pass; or
- d. Without recommendation.

In addition to one of the above-listed recommendations, a report may also recommend that a bill be referred to another committee.

6. A majority report of a committee must carry the signatures of a majority of the members of the committee. In the event a committee has a quorum pursuant to subsection 4 of this rule, subject to the limitation of subsection 12 of this rule, a majority of the members present may act on a measure, subject to obtaining the signatures of a majority of the members of the committee on the majority report.

7. Any measure, appointment, substitute bill, or amendment still within a committee's possession before it has been reported out to the full senate may be reconsidered to correct an error, change language, or otherwise accurately reflect the will of the committee in its majority and minority reports to the full senate. Any such reconsideration may be made at any time, by any member of the committee, provided that the committee has not yet reported the measure, appointment, substitute bill, or amendment out to the full senate. Any such reconsideration made after a vote has been taken or signatures obtained will require a new vote and signature sheet. Any measure which does not receive a majority vote of the members present may be reconsidered at that meeting and may again be considered upon motion of any committee member if one day's notice of said motion is provided to all committee members. For purposes of this rule, a committee is deemed to have reported a measure, appointment, substitute bill, or amendment out when it has delivered its majority and minority reports to the senate workroom. After such delivery, the committee no longer has possession of the measure, appointment, substitute bill, or amendment and no further committee action, including reconsideration, may be taken.

8. Any member of the committee not concurring in the majority report may sign a minority report containing a recommendation

of "do not pass" or "without recommendation," which shall be signed by those members of the committee subscribing thereto, and submitted with the majority report. Unless the signatory of a minority report expressly indicates a "do not pass" recommendation, the member's vote shall be deemed to be "without recommendation." In every case where a majority report form is circulated for signature, a minority report form shall also be circulated.

9. When a committee reports a substitute for an original bill with the recommendation that the substitute bill do pass, it shall be in order to read the substitute bill the first time and have the same ordered printed.

A motion for the substitution of the substitute bill for the original bill shall not be in order until the committee on rules places the original bill on the second reading calendar.

10. No vote in any committee shall be taken by secret ballot nor shall any committee have a policy of secrecy as to any vote on action taken in such committee.

11. All reports of standing committees must be on the secretary's desk one hour prior to convening of the session in order to be read at said session. During any special session of the legislature or within three days of sine die, this rule may be suspended by a majority vote of those present.

12. When a standing committee is operated by cochair, the committee may not vote upon any measure or appointment without the consent of each cochair.

13. When a standing committee has a standing subcommittee established under Senate Rule 41, the chair of the committee may rerefer any measures referred to the committee to the standing subcommittee with the consent of the ranking member of the committee or, in the event of a dispute between the chair and ranking member, referral may occur with a majority vote of the committee."

"Rule 49. All bills reported by a committee to the senate shall then be referred to the committee on rules for second reading without action on the report unless otherwise ordered by the senate. (See also Senate Rules 63 and 64.) A bill may not be referred to the committee on rules for second reading unless a standing committee has held a public hearing on the bill."

Senators Liias and Short spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8657.

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

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION
8656

By Senators Liias and Short

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. 8656.

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

APPOINTMENT OF SPECIAL COMMITTEE

In accordance with Senate Resolution No. 8656, the President appointed Senators Muzzall and Stanford to join a like committee from the House of Representatives to notify the Governor that the Legislature is organized and ready to conduct business.

STANDING COMMITTEE ASSIGNMENTS

Pursuant to the document entitled “*Senate Standing Committees & Subcommittee – 2020*,” the President appointed the several senators to the standing committees of the senate as follows:

SENATE STANDING COMMITTEES & SUBCOMMITTEE -
2020

Agriculture, Water, Natural Resources & Parks

Van De Wege, <i>Chair</i>	Warnick, <i>Ranking</i>
Salomon, <i>Vice Chair</i>	Honeyford
McCoy	Short
Rolfes	

Early Learning & K12 Education

Wellman, <i>Chair</i>	Hawkins, <i>Ranking</i>
Wilson, C., <i>Vice Chair</i>	Holy
Hunt	Padden
McCoy	Wagoner
Mullet	
Pedersen	
Salomon	

Environment, Energy & Technology

Carlyle, <i>Chair</i>	Ericksen, <i>Ranking</i>
Lovelett, <i>Vice Chair</i>	Fortunato, <i>Asst. Ranking</i>
Das	Sheldon, <i>Asst. Ranking</i>
Hobbs	Brown
Liias	Rivers
McCoy	Short
Nguyen	
Stanford	
Wellman	

Financial Institutions, Economic Development & Trade

Mullet, <i>Chair</i>	Wilson, <i>Ranking</i>
Hasegawa, <i>Vice Chair</i>	Braun
Das	Ericksen
Hobbs	

Health & Long Term Care

Cleveland, <i>Chair</i>	O’Ban, <i>Ranking</i>
Randall, <i>Vice Chair</i>	Becker
Conway	Muzzall
Dhingra	Rivers
Frockt	
Keiser	
Van De Wege	

Behavioral Health Subcommittee

Dhingra, <i>Chair</i>	Wagoner, <i>Ranking</i>
Darneille	O’Ban
Frockt	

Higher Education & Workforce Development

Randall, <i>Chair</i>	Holy, <i>Ranking</i>
Stanford, <i>Vice Chair</i>	Brown
Liias	

Housing Stability & Affordability

Kuderer, <i>Chair</i>	Zeiger, <i>Ranking</i>
Das, <i>Vice Chair</i>	Fortunato, <i>Asst. Ranking</i>
Darneille	Warnick
Saldaña	

Human Services, Reentry & Rehabilitation

Darneille, <i>Chair</i>	Walsh, <i>Ranking</i>
Nguyen, <i>Vice Chair</i>	O’Ban
Cleveland	Zeiger
Wilson	

Labor & Commerce

Keiser, <i>Chair</i>	King, <i>Ranking</i>
Conway, <i>Vice Chair</i>	Braun
Saldaña	Schoesler
Stanford	Walsh
Wellman	

Law & Justice

Pedersen, <i>Chair</i>	Padden, <i>Ranking</i>
Dhingra, <i>Vice Chair</i>	Holy
Kuderer	Wilson, L.
Salomon	

Local Government

Takko, <i>Chair</i>	Short, <i>Ranking</i>
Salomon, <i>Vice Chair</i>	Honeyford
Lovelett	

State Government, Tribal Relations & Elections

Hunt, <i>Chair</i>	Zeiger, <i>Ranking</i>
Kuderer, <i>Vice Chair</i>	Muzzall, <i>Asst. Ranking</i>
Hasegawa	Hawkins
Takko	

Transportation

Hobbs, <i>Chair</i>	King, <i>Ranking</i>
Saldaña, <i>Vice Chair</i>	Sheldon, <i>Asst. Ranking</i>
Cleveland	Fortunato
Das	O’Ban
Lovelett	Padden
Nguyen	Zeiger
Randall	
Takko	
Wilson, C.	

Ways & Means

Rolfes, <i>Chair</i>	Braun, <i>Ranking</i>
Frockt, <i>Vice Chair Operating and Capital Lead</i>	Brown, <i>Asst. Ranking Operating</i>
Mullet, <i>Capital Budget Cabinet</i>	Honeyford, <i>Asst. Ranking Capitol</i>
Billig	Becker
Carlyle	Muzzall
Conway	Rivers
Darneille	Schoesler
Dhingra	Wagoner
Hasegawa	Warnick
Hunt	Wilson, L.
Keiser	
Liias	
Pedersen	
Van De Wege	

Rules

Lt. Governor, <i>Chair</i>	Schoesler, <i>Ranking</i>
Keiser, <i>Vice Chair</i>	Becker
Billig	King

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

Carlyle	Rivers
Cleveland	Sheldon
Hasegawa	Short
Kuderer	
Liias	
McCoy	
Nguyen	
Pedersen	

AN ACT Relating to federal immigration enforcement; adding a new chapter to Title 43 RCW; and repealing RCW 43.17.420, 43.330.510, 43.10.310, 43.17.425, 10.93.160, and 43.10.315.

Referred to Committee on Law & Justice.

MOTIONS

On motion of Senator Liias, the appointments to the Standing Committees were confirmed by voice vote.

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

INTRODUCTION AND FIRST READING

SB 6026 by Senators Hunt, Kuderer, Zeiger and Hasegawa
AN ACT Relating to the state auditor’s duties and procedures; amending RCW 43.09.185, 43.09.230, and 43.09.420; repealing RCW 43.09.265, 43.09.430, 43.09.435, 43.09.440, 43.09.445, 43.09.450, 43.09.455, 43.09.460, and 43.88.162; and repealing 2012 c 164 s 709, 2012 c 1 s 201, and 2005 c 385 s 1 (uncodified).

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

SB 6027 by Senators Pedersen, Carlyle, Warnick, Van De Wege, Hunt, Rolfes, Short and Honeyford
AN ACT Relating to floating residences; amending RCW 90.58.270 and 79.105.060; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6028 by Senators Pedersen, Padden, Dhingra and Holy
AN ACT Relating to adoption of the uniform electronic transactions act and aligning statutory provisions relating to signatures, declarations, and documents; amending RCW 4.92.100, 5.50.010, 5.50.030, 9.38.060, 9A.72.085, 10.79.080, 18.27.114, 18.64.550, 23.95.105, 23.95.200, 23.95.265, 23.95.420, 23.95.450, 23B.01.400, 23B.09.040, 23B.09.060, 23B.15.090, 23B.16.010, 23B.16.200, 25.10.011, 25.15.006, 26.52.030, 41.05.014, 58.09.050, 58.09.110, 69.41.041, 69.41.055, and 74.08.055; reenacting and amending RCW 19.09.020, 23B.16.030, and 24.03.005; adding a new chapter to Title 1 RCW; repealing RCW 19.360.010, 19.360.020, 19.360.030, 19.360.040, 19.360.050, 19.360.060, 19.400.010, 19.400.020, and 19.400.030; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 6029 by Senators Pedersen and Padden
AN ACT Relating to the uniform directed trust act; adding a new chapter to Title 11 RCW; and providing an effective date.

Referred to Committee on Law & Justice.

SB 6030 by Senator Fortunato

SB 6031 by Senator Fortunato
AN ACT Relating to limiting state and local taxes, fees, and other charges relating to vehicles; amending RCW 46.17.355, 46.17.323, 82.08.020, 82.44.065, 81.104.140, and 81.104.160; reenacting and amending RCW 46.17.350; adding a new section to chapter 46.17 RCW; adding a new section to chapter 82.44 RCW; adding a new section to chapter 81.112 RCW; creating new sections; repealing RCW 46.17.365, 46.68.415, 82.80.130, 82.80.140, 82.44.035, and 81.104.160; providing contingent effective dates; and declaring an emergency.

Referred to Committee on Transportation.

SB 6032 by Senators Hawkins, Hobbs, King, Takko, Kuderer, Fortunato, Becker, Short, Sheldon, Warnick, Saldaña, Mullet, Zeiger, Wilson, C., Holy, Hunt, Wilson, L., Wellman, Padden and Hasegawa
AN ACT Relating to creating a Washington apples special license plate; reenacting and amending RCW 46.18.200, 46.17.220, and 46.68.420; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Transportation.

SB 6033 by Senators Keiser and King
AN ACT Relating to the safety and security of retail marijuana outlets; amending RCW 9.94A.832; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Labor & Commerce.

SB 6034 by Senators Keiser, Conway, Wellman, Dhingra, Stanford, Saldaña and Pedersen
AN ACT Relating to extending the time allowed to file a complaint with the human rights commission for a claim related to pregnancy discrimination; and amending RCW 49.60.230.

Referred to Committee on Labor & Commerce.

SB 6035 by Senators Keiser, King, Conway and Stanford
AN ACT Relating to instruction for liquor license employees; amending RCW 66.24.320, 66.24.330, 66.24.590, and 66.28.150; and reenacting and amending RCW 66.24.400.

Referred to Committee on Labor & Commerce.

SB 6036 by Senators Honeyford, Van De Wege, Warnick, Muzzall and Short
AN ACT Relating to providing opportunities for drought mitigation using trust water rights; amending RCW 90.38.020, 90.38.040, 90.42.005, 90.42.040, and 90.42.100; and adding a new section to chapter 43.83B RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6037 by Senators Pedersen, Wellman, Rivers, Keiser, Dhingra, Kuderer, Cleveland, Saldaña, Randall, Darneille, Rolfes, Das, Frockt, Carlyle, and Wilson, C.
AN ACT Relating to business corporations; amending RCW 23B.02.020, 23B.02.060, 23B.01.200, 23B.06.010, 23B.06.240, 23B.08.030, 23B.08.735, 23B.09.020, 23B.10.060, 23B.11.010, 23B.11.020, 23B.07.210, 23B.06.030, and 23B.07.040; adding a new section to chapter 23B.08 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 6038 by Senators Rivers, Cleveland, Keiser, Short and Conway
AN ACT Relating to acupuncture and Eastern medicine; and amending RCW 18.06.010 and 18.06.230.

Referred to Committee on Health & Long Term Care.

SB 6039 by Senator Keiser
AN ACT Relating to enacting the living donor act; adding a new section to chapter 48.18 RCW; and providing an effective date.

Referred to Committee on Health & Long Term Care.

SB 6040 by Senator Braun
AN ACT Relating to the budgeting process for certain state waiver services for individuals with developmental disabilities; amending RCW 43.88C.010; and adding a new section to chapter 43.88 RCW.

Referred to Committee on Ways & Means.

SB 6041 by Senator Braun
AN ACT Relating to dedicating the state sales tax on motor vehicles to transportation improvements; amending RCW 82.08.020 and 82.12.020; reenacting and amending RCW 43.84.092; adding a new section to chapter 46.68 RCW; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6042 by Senators Wilson, L., Muzzall, Zeiger, Sheldon, O'Ban, Fortunato and Short
AN ACT Relating to prohibiting the use of title-only bills; adding a new section to chapter 44.04 RCW; and creating a new section.

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

SB 6043 by Senators Wilson, L., Muzzall, Rivers, Fortunato, Sheldon, Schoesler, Short and Honeyford
AN ACT Relating to subscription service legal defense funds; amending RCW 48.01.050; adding a new section to chapter 48.01 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 6044 by Senators Wilson, L., Muzzall, Zeiger, Rivers, Fortunato, Schoesler, Short and Honeyford
AN ACT Relating to the responsibilities of the three branches of government for administrative rules and procedure; amending RCW 34.05.570; adding new sections

to chapter 44.04 RCW; adding new sections to chapter 34.05 RCW; and creating new sections.

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

SB 6045 by Senator Takko
AN ACT Relating to vulnerable users of a public way; amending RCW 46.61.526; and prescribing penalties.

Referred to Committee on Transportation.

SB 6046 by Senator Takko
AN ACT Relating to special purpose district commissioner compensation; and amending RCW 35.61.150, 36.57A.050, 53.12.260, 54.12.080, 57.12.010, 68.52.220, 70.44.050, 85.05.410, 85.06.380, 85.08.320, 85.24.080, 85.38.075, 86.09.283, 86.15.055, and 87.03.460.

Referred to Committee on Local Government.

SB 6047 by Senator Hasegawa
AN ACT Relating to prohibiting retaliation against school district employees that report noncompliance with individualized education programs; and adding a new section to chapter 28A.400 RCW.

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

SB 6048 by Senators Das, Lovelett, Nguyen, Saldaña and Kuderer
AN ACT Relating to the group-wide supervision of internationally active insurance groups; amending RCW 48.31B.005, 48.31B.038, and 42.56.400; and adding a new section to chapter 48.31B RCW.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 6049 by Senators Liias and Das
AN ACT Relating to funding the commissioner's criminal investigation unit by creating the insurance commissioner's fraud account; amending RCW 48.02.190 and 48.14.040; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6050 by Senator Cleveland
AN ACT Relating to insurance guaranty fund; and amending RCW 48.32A.015, 48.32A.025, 48.32A.045, 48.32A.055, 48.32A.065, 48.32A.075, 48.32A.085, 48.32A.095, 48.32A.115, 48.32A.135, 48.32A.175, and 48.32A.185.

Referred to Committee on Health & Long Term Care.

SB 6051 by Senators Cleveland and O'Ban
AN ACT Relating to health coverage that is supplemental to the coverage provided under an employer or union-sponsored prescription drug coverage that supplements medicare part D provided through an employer group waiver plan authorized under federal law; amending RCW 48.43.733; and reenacting and amending RCW 48.43.005.

Referred to Committee on Health & Long Term Care.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

SB 6052 by Senators Mullet, and Wilson, L.

AN ACT Relating to life insurance products or services that are intended to incent behavioral changes that improve the health and reduce the risk of death of the insured; amending RCW 48.30.140, 48.30.150, 48.30.155, and 48.23.525; and providing an effective date.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 6053 by Senators Conway, Keiser and Stanford

AN ACT Relating to establishing wage liens; amending RCW 36.18.016 and 49.48.086; adding new sections to chapter 43.24 RCW; adding a new chapter to Title 60 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 6054 by Senators Lovelett, Takko, Wellman and McCoy

AN ACT Relating to changing the effective date of workforce requirements related to high hazard facilities; amending RCW 49.80.050 and 49.80.900; creating a new section; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 6055 by Senator O'Ban

AN ACT Relating to exempting health care and veterinary services from the business and occupation surcharge; amending RCW 82.04.299; creating new sections; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6056 by Senator Randall

AN ACT Relating to the budgeting process for services for individuals with developmental disabilities; amending RCW 43.88C.010; adding new sections to chapter 71A.12 RCW; creating a new section; and repealing RCW 71A.18.020.

Referred to Committee on Ways & Means.

SB 6057 by Senators Stanford, Rivers, Wilson, C., Conway and King

AN ACT Relating to price differentials in the sale of marijuana; amending RCW 69.50.380; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Labor & Commerce.

SB 6058 by Senators Randall, Saldaña, Wilson, C., Hunt and Kuderer

AN ACT Relating to fire district health clinic services; and amending RCW 52.02.020.

Referred to Committee on Local Government.

SB 6059 by Senator Becker

AN ACT Relating to exempting health care-related services from the business and occupation surcharge; amending RCW 82.04.299; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6060 by Senator Becker

AN ACT Relating to removing ambulatory surgical facilities from the certificate of need program; amending RCW 70.38.025; and reenacting and amending RCW 70.38.111.

Referred to Committee on Health & Long Term Care.

SB 6061 by Senator Becker

AN ACT Relating to requiring training standards in providing telemedicine services; and amending RCW 43.70.495.

Referred to Committee on Health & Long Term Care.

SB 6062 by Senator Becker

AN ACT Relating to direct primary care oversight; adding a new chapter to Title 18 RCW; recodifying RCW 48.150.005, 48.150.010, 48.150.020, 48.150.030, 48.150.040, 48.150.050, 48.150.060, 48.150.070, 48.150.080, 48.150.090, and 48.150.110; and repealing RCW 48.150.100.

Referred to Committee on Health & Long Term Care.

SB 6063 by Senator Wagoner

AN ACT Relating to improving department of corrections health care administration; amending RCW 72.10.020; and adding a new section to chapter 72.10 RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6064 by Senator Wagoner

AN ACT Relating to requiring full body scanners at each department of corrections institution; adding a new section to chapter 72.09 RCW; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6065 by Senator Brown

AN ACT Relating to establishing the Washington blockchain work group; creating a new section; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

SB 6066 by Senator Hasegawa

AN ACT Relating to ethnic studies materials and resources for public school students in grades kindergarten through six; amending RCW 28A.655.300 and 28A.300.112; amending 2019 c 279 s 4 (uncodified); and providing an expiration date.

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

SB 6067 by Senator Hasegawa

AN ACT Relating to educator certification assessments; amending RCW 28A.410.220 and 28A.410.2211; and repealing RCW 28A.410.280.

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

SB 6068 by Senators Warnick, Mullet, Wilson, L., Takko, Short and Liias

AN ACT Relating to sales and use tax exemptions for large private airplanes; amending RCW 82.08.215, 82.12.215, 47.68.250, and 82.48.100; amending 2013 2nd sp.s. c 13 ss 1101 and 1906 (uncodified); reenacting and amending RCW 82.48.100; providing an effective date; and providing expiration dates.

Referred to Committee on Ways & Means.

SB 6069 by Senator Van De Wege

AN ACT Relating to the use of state funds for medical transportation for the purpose of receiving substance use disorder treatment services; and adding a new section to chapter 71.24 RCW.

Referred to Committee on Health & Long Term Care.

SB 6070 by Senator Van De Wege

AN ACT Relating to public disclosures by state-funded substance use disorder treatment programs and facilities; and adding a new section to chapter 71.24 RCW.

Referred to Committee on Health & Long Term Care.

SB 6071 by Senators Van De Wege and Warnick

AN ACT Relating to increased deterrence and meaningful enforcement of fish and wildlife violations; amending RCW 77.15.075, 77.15.100, and 7.84.070; reenacting and amending RCW 77.15.160; and prescribing penalties.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6072 by Senators Rolfes and Braun

AN ACT Relating to dividing the state wildlife account into the fish, wildlife, and conservation account and the limited fish and wildlife account; amending RCW 46.68.435, 77.12.170, 77.12.177, 77.12.184, 77.12.190, 77.12.210, 77.12.230, 77.12.240, 77.12.323, 77.12.380, 77.12.390, 77.12.670, 77.12.690, 77.32.050, 77.32.430, 77.32.460, 77.32.470, 77.32.530, 77.32.560, 77.36.070, 77.36.170, 77.44.050, 79A.55.090, 79A.80.090, and 82.27.070; reenacting and amending RCW 9.41.070 and 43.84.092; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6073 by Senators Dhingra, Rivers, Lovelett, Saldaña, Wilson, C., Mullet, Keiser, Nguyen, Cleveland, Salomon, Randall, Rolfes, Darneille, Conway, Pedersen, Kuderer, Van De Wege, Das and Liias

AN ACT Relating to menstrual hygiene products in public school bathrooms; and adding a new section to chapter 28A.210 RCW.

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

SB 6074 by Senators Dhingra, Rivers, Padden, Mullet, Van De Wege, Randall, Salomon, Keiser, Conway, Pedersen, Kuderer and Das

AN ACT Relating to reauthorizing and expanding the financial fraud and identity theft crimes investigation and

prosecution program; amending RCW 43.330.300 and 62A.9A-525; repealing 2008 c 290 s 4, 2009 c 565 s 57, 2015 c 65 ss 3 and 4, and 2016 c 202 s 59 (uncodified); and providing an expiration date.

Referred to Committee on Law & Justice.

SB 6075 by Senator Takko

AN ACT Relating to local effort assistance; amending RCW 28A.500.015; and providing an effective date.

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

SB 6076 by Senators Kuderer and Darneille

AN ACT Relating to assault weapons and large capacity magazines; adding new sections to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6077 by Senators Kuderer, Pedersen, Lovelett, Nguyen, Wellman, Darneille, Dhingra and Frockt

AN ACT Relating to high capacity magazines; adding a new section to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6078 by Senator Mullet

AN ACT Relating to clarifying reimbursement for certain clean-up or removal actions by fire protection jurisdictions; adding a new section to chapter 52.30 RCW; and adding a new section to chapter 35.103 RCW.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 6079 by Senators Mullet and Zeiger

AN ACT Relating to clarifying the scope of taxation on land development or management services; amending RCW 82.04.051; and amending 1999 c 212 s 1 (uncodified).

Referred to Committee on Housing Stability & Affordability.

SB 6080 by Senators Hunt and Zeiger

AN ACT Relating to subjecting federally recognized Indian tribes to the same conditions as state and local governments for property owned exclusively by the tribe; amending RCW 84.36.010; amending 2017 c 323 s 301 (uncodified); repealing 2014 c 207 s 14, and 2015 3rd sp.s. c 6 s 2306 (uncodified); and creating a new section.

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

SB 6081 by Senators Liias, King, Stanford, Becker, Keiser, Braun and Wellman

AN ACT Relating to the calculation of compensation of an employee of a medical school and an affiliated faculty group practice for purposes of a noncompetition agreement; and amending RCW 49.62.010.

Referred to Committee on Labor & Commerce.

SB 6082 by Senators Carlyle, Mullet and Braun

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

AN ACT Relating to manufacturers of electric vehicles; and amending RCW 46.96.185.

Referred to Committee on Labor & Commerce.

SB 6083 by Senators Zeiger, Saldaña, Hobbs, King and Warnick
AN ACT Relating to travel trailers; and amending RCW 46.44.030.

Referred to Committee on Transportation.

SB 6084 by Senators Takko and Hobbs
AN ACT Relating to roundabouts; amending RCW 46.61.135 and 46.61.140; and reenacting and amending RCW 47.04.010.

Referred to Committee on Transportation.

SB 6085 by Senators Stanford, Rivers, Saldaña, Lias and Conway
AN ACT Relating to expanding opportunities for marijuana businesses by removing residency barriers and providing access to capital for minority and women-owned businesses through a fee on certain investments; amending RCW 69.50.331 and 69.50.540; adding new sections to chapter 43.31 RCW; adding a new section to chapter 69.50 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 6086 by Senators Hasegawa and Keiser
AN ACT Relating to increasing access to medications for people with opioid use disorder; and amending RCW 18.64.450.

Referred to Committee on Health & Long Term Care.

SB 6087 by Senator Keiser
AN ACT Relating to cost-sharing requirements for coverage of insulin products; amending RCW 48.20.391, 48.21.143, 48.44.315, and 48.46.272; adding a new section to chapter 48.43 RCW; and providing a contingent expiration date.

Referred to Committee on Health & Long Term Care.

SB 6088 by Senator Keiser
AN ACT Relating to establishing a prescription drug affordability board; and adding new sections to chapter 70.14 RCW.

Referred to Committee on Health & Long Term Care.

SB 6089 by Senator Warnick
AN ACT Relating to creating a task force on marijuana odor; creating a new section; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 6090 by Senator Warnick
AN ACT Relating to limiting fire protection service agency liability for the installation of detection devices; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Local Government.

SB 6091 by Senators Warnick and Saldaña
AN ACT Relating to continuing the work of the Washington food policy forum; creating new sections; and providing an expiration date.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6092 by Senators Wilson, C., Wellman, Hawkins and Kuderer
AN ACT Relating to posthumous high school diplomas; and amending RCW 28A.230.120.

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

SB 6093 by Senators Schoesler, Becker, Braun, O'Ban, Holy, Zeiger, Fortunato, Ericksen, Warnick, Muzzall, Wilson, L., Sheldon, Rivers and Short
AN ACT Relating to free public access to state parks and lands; amending RCW 46.01.140, 46.01.370, 46.16A.090, 77.15.750, 79A.05.070, 79A.80.010, 79A.80.050, 79A.80.060, 79A.80.070, 79A.80.080, 79A.80.090, 79A.80.100, and 79A.80.110; creating a new section; and repealing RCW 79A.80.020.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6094 by Senators Nguyen and King
AN ACT Relating to correcting a reference to an omnibus transportation appropriations act within a prior authorization of general obligation bonds for transportation funding; and amending RCW 47.10.873.

Referred to Committee on Transportation.

SB 6095 by Senator Keiser
AN ACT Relating to excluding the common carrier licensees from the definition of retailer for the purposes of the three-tier system; and amending RCW 66.28.285.

Referred to Committee on Labor & Commerce.

SB 6096 by Senator Keiser
AN ACT Relating to preventing disruption of certain state-financed and procured services due to labor unrest within contracted service providers; adding a new section to chapter 43.20A RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 6097 by Senators Rolfes, Kuderer, Pedersen and Frockt
AN ACT Relating to requiring the insurance commissioner to review a health carrier's surplus levels as part of its rate filing review process; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long Term Care.

SB 6098 by Senator Rolfes
AN ACT Relating to insurance coverage of prosthetics and orthotics; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long Term Care.

SB 6099 by Senator Hunt

AN ACT Relating to repealing the education accountability system oversight committee; amending RCW 28A.657.100; and repealing RCW 28A.657.130.

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

SB 6100 by Senator Wellman

AN ACT Relating to the office of the superintendent of public instruction's authority to conduct criminal background checks; and amending RCW 28A.400.303.

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

SB 6101 by Senator Wellman

AN ACT Relating to statewide implementation of early screening for dyslexia; and amending RCW 28A.320.270, 28A.300.710, and 28A.300.720.

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

SB 6102 by Senator Wellman

AN ACT Relating to stop signal warning devices on school buses; and amending RCW 46.37.190.

Referred to Committee on Transportation.

SB 6103 by Senator Wellman

AN ACT Relating to educational reporting requirements; and amending RCW 28A.175.010, 28A.300.540, 28A.300.507, and 28A.150.260.

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

SB 6104 by Senators King, Rivers, Rolfes, Mullet and Saldaña

AN ACT Relating to the creation of a limited spirits retail license; amending RCW 66.24.055; and adding new sections to chapter 66.24 RCW.

Referred to Committee on Labor & Commerce.

SB 6105 by Senator Hunt

AN ACT Relating to efficient administration of state education agencies; and amending RCW 28A.305.011, 28C.18.020, 43.30.205, 43.59.030, 28A.310.030, 28A.305.021, 28A.310.050, 28A.310.060, 28A.310.080, 28A.310.090, 28A.310.100, and 28A.525.025.

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

SB 6106 by Senator O'Ban

AN ACT Relating to improving postpartum medicaid coverage; amending RCW 74.09.510; and creating new sections.

Referred to Committee on Health & Long Term Care.

SB 6107 by Senator O'Ban

AN ACT Relating to exempting services essential to affordable housing from the business and occupations surcharge; amending RCW 82.04.299; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6108 by Senator O'Ban

AN ACT Relating to nullifying certain taxes approved by regional transit authority voters; amending RCW 81.104.160, 81.104.170, and 81.104.175; adding a new section to chapter 81.112 RCW; and declaring an emergency.

Referred to Committee on Transportation.

SB 6109 by Senator O'Ban

AN ACT Relating to ensuring persons with serious mental illness and substance use disorders receive proper care and assistance; adding a new chapter to Title 11 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 6110 by Senator Keiser

AN ACT Relating to the importation of prescription drugs from Canada; and adding a new chapter to Title 69 RCW.

Referred to Committee on Health & Long Term Care.

SB 6111 by Senator Keiser

AN ACT Relating to the creation of a pharmacy tourism program; adding a new section to chapter 41.05 RCW; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long Term Care.

SB 6112 by Senators Wilson, C., Darneille, Nguyen and Cleveland

AN ACT Relating to youth solitary confinement; adding a new chapter to Title 13 RCW; and providing expiration dates.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6113 by Senator Keiser

AN ACT Relating to creation of a central insulin purchasing program; amending RCW 70.14.060; adding a new section to chapter 70.14 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 6114 by Senators Takko, O'Ban and Hobbs

AN ACT Relating to all-terrain vehicles; and amending RCW 46.09.360 and 46.09.455.

Referred to Committee on Transportation.

SB 6115 by Senators Takko, Warnick and Hobbs

AN ACT Relating to off-road vehicle registrations; amending RCW 46.09.420, 46.09.442, 46.93.210, and 46.09.495; and prescribing penalties.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

Referred to Committee on Transportation.

SB 6116 by Senator O'Ban

AN ACT Relating to assisting spouses and dependents of active duty military by ensuring affordable access to higher education; and amending RCW 28B.15.012.

Referred to Committee on Higher Education & Workforce Development.

SB 6117 by Senator Wellman

AN ACT Relating to appropriations for special education programs; and amending RCW 28A.150.390.

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

SB 6118 by Senators Mullet, Cleveland, Wilson, L. and Rivers

AN ACT Relating to collection agency transaction fees for processing electronic payments; amending RCW 19.16.100; and reenacting and amending RCW 19.16.250.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 6119 by Senators Conway, Holy and King

AN ACT Relating to authorizing that money laundering forfeited proceeds and property be used for improvement of gambling-related law enforcement activities; and amending RCW 9A.83.030.

Referred to Committee on Law & Justice.

SB 6120 by Senators Conway and King

AN ACT Relating to amending types of nonprofit organizations qualified to engage in gambling activities; and amending RCW 9.46.0209.

Referred to Committee on Labor & Commerce.

SB 6121 by Senator Takko

AN ACT Relating to designating the Pacific razor clam as the state clam; adding a new section to chapter 1.20 RCW; and creating a new section.

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

SB 6122 by Senator Keiser

AN ACT Relating to protecting temporary workers; adding a new section to chapter 49.17 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 6123 by Senator Hunt

AN ACT Relating to state employee leave for organ donation; and adding a new section to chapter 41.06 RCW.

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

SB 6124 by Senator Hunt

AN ACT Relating to establishing a statewide environmental sustainability education program; adding a new section to chapter 28A.300 RCW; and creating a new section.

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

SB 6125 by Senator Hunt

AN ACT Relating to postretirement work in an elected city or county council position; and amending RCW 41.40.037 and 41.40.820.

Referred to Committee on Ways & Means.

SB 6126 by Senator Hunt

AN ACT Relating to allowing the local sales and use tax for affordable housing to be imposed by a councilmanic authority; and amending RCW 82.14.530.

Referred to Committee on Local Government.

SB 6127 by Senator Randall

AN ACT Relating to membership of the student achievement council; and amending RCW 28B.77.005.

Referred to Committee on Higher Education & Workforce Development.

SB 6128 by Senator Randall

AN ACT Relating to improving maternal health outcomes by extending coverage during the postpartum period; adding a new section to chapter 74.09 RCW; and creating new sections.

Referred to Committee on Health & Long Term Care.

SB 6129 by Senator Randall

AN ACT Relating to student health plan coverage for pregnancy services; and amending RCW 48.43.073.

Referred to Committee on Health & Long Term Care.

SB 6130 by Senator Takko

AN ACT Relating to motorcycle profiling; and amending RCW 43.101.419.

Referred to Committee on Law & Justice.

SB 6131 by Senator Mullet

AN ACT Relating to repealing the debenture company laws from the securities act of Washington; amending RCW 21.20.810; and repealing RCW 21.20.705, 21.20.710, 21.20.715, 21.20.717, 21.20.720, 21.20.725, 21.20.727, 21.20.730, 21.20.732, 21.20.734, 21.20.740, 21.20.745, 21.20.750, 21.20.805, 21.20.815, 21.20.820, 21.20.825, 21.20.830, 21.20.835, 21.20.840, 21.20.845, and 21.20.850.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 6132 by Senator Wellman

AN ACT Relating to allowing the learning assistance program to support school-wide behavioral health system of supports and interventions; and amending RCW 28A.165.035 and 28A.165.005.

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

SB 6133 by Senators Lovelett and Zeiger

AN ACT Relating to authorizing the governor to enter into agreements with tribal jurisdictions for the issuance of tribal license plates and vehicle registration; and adding a new section to chapter 46.16A RCW.

Referred to Committee on Transportation.

SB 6134 by Senators Hunt and Zeiger

AN ACT Relating to state reimbursement of election costs; amending RCW 29A.04.410, 29A.04.420, 29A.04.216, 29A.04.430, 29A.64.081, and 29A.32.210; making an appropriation; and providing an effective date.

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

SB 6135 by Senators Sheldon and Carlyle

AN ACT Relating to system reliability under the clean energy transformation act; and amending RCW 19.405.080.

Referred to Committee on Environment, Energy & Technology.

SB 6136 by Senators Nguyen and O'Ban

AN ACT Relating to updating restrictions on electronic benefit cards; and amending RCW 74.08.580.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6137 by Senators Mullet, Becker, Conway, Warnick and King

AN ACT Relating to reauthorizing the business and occupation tax deduction for cooperative finance organizations; adding a new section to chapter 82.04 RCW; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 6138 by Senator Hasegawa

AN ACT Relating to supports for beginning educators and mentors; and amending RCW 28A.415.265.

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

SB 6139 by Senators Mullet, Wagoner, Takko, Wilson, L., Wilson, C. and Randall

AN ACT Relating to the joint center for aerospace technology innovation; and amending RCW 43.131.417 and 43.131.418.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 6140 by Senator Randall

AN ACT Relating to prohibiting the practice of transcript withholding and limiting the practice of registration holds at

institutions of higher education as debt collection practices; and amending RCW 28B.10.293.

Referred to Committee on Higher Education & Workforce Development.

SB 6141 by Senator Randall

AN ACT Relating to expanding access to higher education; adding new sections to chapter 28B.77 RCW; adding a new section to chapter 28A.230 RCW; adding a new section to chapter 28A.300 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 6142 by Senators Liias and Randall

AN ACT Relating to creating the Washington common application; adding a new section to chapter 28B.77 RCW; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 6143 by Senators Cleveland and Rivers

AN ACT Relating to the podiatric medical board; and amending RCW 18.22.013 and 18.22.014.

Referred to Committee on Health & Long Term Care.

SB 6144 by Senators Hasegawa and Das

AN ACT Relating to implementation credits and performance standards; amending RCW 48.30.140 and 48.30.150; adding new sections to chapter 48.30 RCW; and providing an effective date.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 6145 by Senator Warnick

AN ACT Relating to reducing the property tax; amending RCW 84.52.065; and creating a new section.

Referred to Committee on Ways & Means.

SB 6146 by Senators Mullet, Wilson, L., Hobbs and Ericksen

AN ACT Relating to the regulation of legal service contractors; amending RCW 48.17.170; adding a new chapter to Title 48 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6147 by Senators Salomon, Lovelett, Wilson, C., Rolfes, Billig and Keiser

AN ACT Relating to the replacement of shoreline armoring; and amending RCW 77.55.231.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6148 by Senators Salomon, Van De Wege and Nguyen

AN ACT Relating to peace officer certification; and amending RCW 43.101.095.

Referred to Committee on Law & Justice.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

SB 6149 by Senators Salomon, Van De Wege, Pedersen, Carlyle, Keiser, Liias, Hunt and McCoy
AN ACT Relating to ensuring compliance with the federal clean water act by prohibiting certain discharges into waters of the state; amending RCW 77.55.021; reenacting and amending RCW 77.55.011; adding a new section to chapter 90.48 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SB 6150 by Senators Salomon, Liias, Van De Wege, Nguyen, Billig, Rolfes and McCoy
AN ACT Relating to the effective date of certain actions taken under the growth management act; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Local Government.

SB 6151 by Senators Salomon, Mullet, Pedersen, Carlyle, Keiser and Hunt
AN ACT Relating to liability for entry into a motor vehicle to remove an animal; and amending RCW 16.52.340.

Referred to Committee on Law & Justice.

SB 6152 by Senators Salomon, Billig, Hunt, Nguyen, McCoy, Lovelett, Kuderer, Rolfes, Liias and Van De Wege
AN ACT Relating to certification of the level of foreign national ownership for corporations that participate in Washington state elections; amending RCW 42.17A.005, 42.17A.240, 42.17A.250, and 42.17A.255; and creating a new section.

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

SB 6153 by Senators Salomon, Saldaña, Nguyen, Wilson, C., Keiser and Das
AN ACT Relating to driver's license suspensions and revocations; amending RCW 46.16A.040, 46.16A.110, 46.20.245, 46.20.285, 46.20.289, 46.20.291, 46.20.341, 46.20.342, 10.37.015, 46.20.005, 46.20.391, 46.55.113, 46.63.020, and 46.64.025; reenacting and amending RCW 10.31.100 and 46.63.110; adding a new section to chapter 46.20 RCW; adding a new section to chapter 46.63 RCW; adding a new section to chapter 46.64 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

SB 6154 by Senators Rolfes, Kuderer, Wellman and Darneille
AN ACT Relating to abusive civil actions; and adding a new chapter to Title 2 RCW.

Referred to Committee on Law & Justice.

SB 6155 by Senators Cleveland and Dhingra
AN ACT Relating to the rape of a child; and amending RCW 9A.44.073.

Referred to Committee on Law & Justice.

SB 6156 by Senators Takko, Wagoner and Saldaña
AN ACT Relating to modifying the requirements for collector vehicle registrations; amending RCW 46.04.126, 46.04.1261, 46.04.199, 46.18.220, 46.18.255, and 46.16A.070; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

SB 6157 by Senators Dhingra, Wellman, Wilson, C. and Das
AN ACT Relating to bleeding control kits in schools; and adding a new section to chapter 28A.320 RCW.

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

SB 6158 by Senators Dhingra, Cleveland, Wilson, C. and Das
AN ACT Relating to model sexual assault protocols for hospitals and clinics; creating a new section; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 6159 by Senators Dhingra and Das
AN ACT Relating to tableting and encapsulating machines and controlled substance imitation materials; amending RCW 69.52.020, 69.52.030, 69.52.040, 69.52.045, and 9.94A.518; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6160 by Senators Dhingra and Das
AN ACT Relating to drug offender sentencing alternatives for offenders convicted of driving or control of a vehicle while under the influence; adding a new section to chapter 9.94A RCW; and providing an effective date.

Referred to Committee on Law & Justice.

SB 6161 by Senators Dhingra, Kuderer and Das
AN ACT Relating to imposing an excise tax on ammunition; adding a new chapter to Title 82 RCW; creating a new section; and providing an effective date.

Referred to Committee on Law & Justice.

SB 6162 by Senators Dhingra, Wilson, C., Kuderer, Hasegawa, McCoy and Das
AN ACT Relating to victims of nonfatal strangulation; amending RCW 7.68.170; and creating new sections.

Referred to Committee on Law & Justice.

SB 6163 by Senators Dhingra, Kuderer, Wellman, Pedersen, Darneille and Frockt
AN ACT Relating to unlawful possession of firearms for persons free on bond or personal recognizance pending trial, appeal, or sentencing for felony charges under RCW 46.61.502(6) and 46.61.504(6); and reenacting and amending RCW 9.41.040.

Referred to Committee on Law & Justice.

SB 6164 by Senators Dhingra, Wilson, C., McCoy and Das

AN ACT Relating to prosecutorial discretion to seek resentencing; adding a new section to chapter 36.27 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 6165 by Senator Rolfes

AN ACT Relating to providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1; amending RCW 41.40.1987 and 41.32.4992; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6166 by Senator Rolfes

AN ACT Relating to recreational fishing and hunting licenses; amending RCW 77.08.010, 77.12.810, 77.32.070, 77.32.155, 77.32.350, 77.32.370, 77.32.430, 77.32.440, 77.32.450, 77.32.460, 77.32.470, 77.32.480, 77.32.520, 77.32.570, and 77.32.575; adding new sections to chapter 77.32 RCW; adding new sections to chapter 77.12 RCW; prescribing penalties; and providing effective dates.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6167 by Senator Rolfes

AN ACT Relating to making expenditures from the budget stabilization account to alleviate the issue of homelessness; creating a new section; making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6168 by Senator Rolfes

AN ACT Relating to fiscal matters; amending RCW 28B.145.050, 41.06.280, 41.50.110, 43.185C.060, 71A.20.170, 90.56.510, and 70.105D.190; amending 2019 c 415 ss 101, 102, 103, 104, 105, 106, 107, 108, 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, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 501, 503, 504, 505, 506, 507, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 719, 701, 703, 712, 720, 725, 728, 730, 801, 802, 803, 805, 936, 937, 938, 939, 946, and 996, 2019 c 406 s 13, and 2019 c 324 s 12 (uncodified); adding new sections to 2019 c 415 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6169 by Senator Keiser

AN ACT Relating to training on the prevention of harassment, discrimination, and retaliation; and adding a new section to chapter 49.60 RCW.

Referred to Committee on Labor & Commerce.

SB 6170 by Senators Keiser and Conway

AN ACT Relating to plumbing; amending RCW 18.106.010, 18.106.020, 18.106.030, 18.106.040,

18.106.050, 18.106.070, 18.106.100, 18.106.110, 18.106.125, 18.106.150, 18.106.180, 18.106.200, 18.106.220, 18.106.250, 18.106.270, 18.106.320, 18.27.060, 18.27.090, 19.28.041, 19.28.191, 19.28.191, and 19.28.051; reenacting and amending RCW 19.28.091; adding new sections to chapter 18.106 RCW; prescribing penalties; providing effective dates; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 6171 by Senators Keiser, Conway, Carlyle, Saldaña, Hasegawa, Pedersen and Frockt

AN ACT Relating to the disassembly of tower cranes; and adding a new section to chapter 49.17 RCW.

Referred to Committee on Labor & Commerce.

SB 6172 by Senators Braun and Saldaña

AN ACT Relating to extending the business and occupation tax exemption for amounts received as credits against contracts with or funds provided by the Bonneville power administration and used for low-income ratepayer assistance and weatherization; amending RCW 82.04.310; creating a new section; and providing an effective date.

Referred to Committee on Environment, Energy & Technology.

SB 6173 by Senator Sheldon

AN ACT Relating to the sale of beer for off-premises consumption; and reenacting and amending RCW 66.24.400.

Referred to Committee on Labor & Commerce.

SB 6174 by Senators Schoesler and Becker

AN ACT Relating to free public access to state parks and lands; amending RCW 4.24.210, 43.30.385, 46.01.140, 46.16A.090, 77.12.170, 77.15.750, 77.32.010, 79A.05.070, 79A.05.215, and 79A.80.010; creating new sections; and repealing RCW 46.01.370, 79A.80.020, 79A.80.030, 79A.80.050, 79A.80.060, 79A.80.070, 79A.80.080, 79A.80.090, 79A.80.100, and 79A.80.110.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6175 by Senators Wilson, C., Kuderer and Hasegawa

AN ACT Relating to sexual health education including information about affirmative consent; and amending RCW 28A.300.475.

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

SB 6176 by Senators Wilson, C., Hasegawa and Dhingra

AN ACT Relating to incorporating the costs of employee health benefits into school district contracts for pupil transportation; amending RCW 28A.160.140; and creating a new section.

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

SB 6177 by Senators Takko, Hasegawa, Van De Wege, Hobbs and Keiser

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

AN ACT Relating to prohibiting unjustified employer searches of employee personal vehicles; adding new sections to chapter 49.12 RCW; and prescribing penalties.

Referred to Committee on Housing Stability & Affordability.

Referred to Committee on Labor & Commerce.

SB 6186 by Senator Zeiger

AN ACT Relating to prioritizing homelessness diversion services; and amending RCW 36.22.179.

SB 6178 by Senators Short and Dhingra

AN ACT Relating to superior court judges; amending RCW 2.08.065; and creating a new section.

Referred to Committee on Housing Stability & Affordability.

Referred to Committee on Law & Justice.

SB 6187 by Senator Zeiger

AN ACT Relating to modifying the definition of personal information for notifying the public about data breaches of a state or local agency system; and amending RCW 42.56.590.

SB 6179 by Senators Takko, Schoesler and Hunt

AN ACT Relating to the Washington search and rescue grant program; reenacting and amending RCW 38.52.010; and adding a new section to chapter 38.52 RCW.

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

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

SB 6188 by Senator Zeiger

AN ACT Relating to the consumption of alcohol for certain special events held on agricultural fairgrounds; and amending RCW 66.24.380.

SB 6180 by Senator Darneille

AN ACT Relating to juvenile sex offense registration waivers under the special sexual offender disposition alternative; and amending RCW 13.40.162 and 9A.44.140.

Referred to Committee on Labor & Commerce.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6189 by Senators Wellman, Mullet, Pedersen, Zeiger, Kuderer and Das

AN ACT Relating to clarifying eligibility for school employees' benefits board coverage; adding new sections to chapter 41.05 RCW; creating a new section; and providing an effective date.

SB 6181 by Senator Padden

AN ACT Relating to compensation for parents of minor victims of crime; and amending RCW 7.68.061 and 7.68.070.

Referred to Committee on Ways & Means.

Referred to Committee on Law & Justice.

SB 6190 by Senators Braun and Keiser

AN ACT Relating to preserving the developmental disabilities community trust; amending RCW 71A.20.170; and creating a new section.

SB 6182 by Senator Padden

AN ACT Relating to closed captioning on televisions in places of public accommodation; adding a new section to chapter 49.60 RCW; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

Referred to Committee on Law & Justice.

SB 6191 by Senator Braun

AN ACT Relating to assessing the prevalence of adverse childhood experiences in middle and high school students to inform decision making and improve services; adding a new section to chapter 28A.300 RCW; and creating a new section.

SB 6183 by Senator Hunt

AN ACT Relating to allowing service and overseas voters to use the common access card as a digital signature for proof of identity on certain election materials; amending RCW 29A.04.611, 29A.08.123, and 29A.40.091; and adding a new section to chapter 29A.04 RCW.

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

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

SB 6192 by Senator Braun

AN ACT Relating to addressing inadequate, deficient, or dangerous conditions at facilities and institutions operated or overseen by state agencies; amending RCW 41.06.142; adding a new section to chapter 43.09 RCW; adding a new section to chapter 43.20A RCW; adding a new section to chapter 43.60A RCW; adding a new section to chapter 43.216 RCW; and declaring an emergency.

SB 6184 by Senators Randall, Dhingra, Hunt, Saldaña, Pedersen, Rolfes and Das

AN ACT Relating to marriage licensing and solemnization by county auditors; and amending RCW 26.04.050, 26.04.070, and 26.04.180.

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

Referred to Committee on Law & Justice.

SB 6193 by Senator Braun

SB 6185 by Senator Zeiger

AN ACT Relating to improving access to homeownership by expanding opportunities for down payment assistance programs; and amending RCW 43.180.050.

AN ACT Relating to encouraging cost-efficiency and environmental protection by state employees using motor vehicles on official business; amending RCW 43.03.060; and creating a new section.

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

SB 6194 by Senator Braun

AN ACT Relating to prohibiting cities and towns from citing the same statutory authority to impose multiple business taxes; amending RCW 35.22.280, 35.23.440, 35.27.370, and 35A.82.020; and creating a new section.

Referred to Committee on Local Government.

SB 6195 by Senator Braun

AN ACT Relating to funding forest health activities for the protection of people, homes, and the environment through issuance of state bonds; and adding a new chapter to Title 76 RCW.

Referred to Committee on Ways & Means.

SB 6196 by Senator Braun

AN ACT Relating to creating a homelessness impact grant program to address security and sanitation impacts of homeless populations; amending RCW 36.22.179, 43.185C.060, and 43.185C.061; and adding a new section to chapter 43.185C RCW.

Referred to Committee on Housing Stability & Affordability.

SB 6197 by Senator Braun

AN ACT Relating to the election of members of the house of representatives from house districts within each legislative district; amending RCW 44.05.080 and 44.05.090; and creating a new section.

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

SB 6198 by Senator Braun

AN ACT Relating to adding the workforce education investment account to the definition of related funds in the state four-year balanced budget requirement; and amending RCW 43.88.055.

Referred to Committee on Ways & Means.

SB 6199 by Senator Braun

AN ACT Relating to adjusting by inflation the qualifying income thresholds for purposes of the senior citizen and service-connected disabled veterans property tax exemption program; amending RCW 84.36.383; and creating new sections.

Referred to Committee on Ways & Means.

SB 6200 by Senator Braun

AN ACT Relating to crime victims' compensation; and amending RCW 7.68.060 and 7.68.070.

Referred to Committee on Law & Justice.

SB 6201 by Senator Braun

AN ACT Relating to reducing the real estate excise tax rate for multiple-unit housing; amending RCW 82.45.060; and creating a new section.

Referred to Committee on Housing Stability & Affordability.

SB 6202 by Senator Darneille

AN ACT Relating to resentencing persistent offenders; creating a new section; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 6203 by Senator Darneille

AN ACT Relating to corrections; and amending RCW 72.09.010.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6204 by Senator Darneille

AN ACT Relating to prisoner fatality and near fatality reviews for persons in the custody of the department of corrections; adding a new section to chapter 72.09 RCW; and adding a new section to chapter 43.06C RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6205 by Senators Cleveland, Conway, Randall, Keiser, Mullet, Frockt, Billig, Saldaña, Dhingra and Van De Wege

AN ACT Relating to preventing harassment, abuse, and discrimination experienced by long-term care workers; adding a new chapter to Title 49 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

SB 6206 by Senator Rivers

AN ACT Relating to creating a certificate of compliance for marijuana business premises that meet the statutory qualifications at the time of application; and amending RCW 69.50.331.

Referred to Committee on Labor & Commerce.

SB 6207 by Senator Saldaña

AN ACT Relating to the scope of collective bargaining for language access providers; and amending RCW 41.56.030 and 41.56.510.

Referred to Committee on Labor & Commerce.

SB 6208 by Senators Billig, Rivers, Liias and Randall

AN ACT Relating to increasing mobility through the modification of stop sign requirements for bicyclists; amending RCW 46.61.050, 46.61.190, 46.61.200, 46.61.755, and 47.36.110; and providing an effective date.

Referred to Committee on Transportation.

SB 6209 by Senators Randall, O'Ban, Keiser, Dhingra, Billig, Cleveland, Liias and Hasegawa

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

AN ACT Relating to the multistate nurse licensure compact; amending RCW 18.79.030; reenacting and amending RCW 18.130.040; adding new sections to chapter 18.79 RCW; and adding a new chapter to Title 18 RCW.

Referred to Committee on Health & Long Term Care.

SB 6210 by Senator Lovelett

AN ACT Relating to antifouling paints on recreational water vessels; amending RCW 70.300.020; and adding new sections to chapter 70.300 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 6211 by Senators Dhingra, Padden, Nguyen and Das

AN ACT Relating to drug offender sentencing; amending RCW 9.94A.662; reenacting and amending RCW 9.94A.660 and 9.94A.664; and providing an effective date.

Referred to Committee on Law & Justice.

SB 6212 by Senators Das, Keiser, Lovelett, Zeiger, Dhingra, Saldaña, Nguyen, Kuderer, Warnick, Randall, Darneille and Van De Wege

AN ACT Relating to the authority of counties, cities, and towns to exceed statutory property tax limitations for the purpose of financing affordable housing for very low-income households and low-income households; amending RCW 84.52.105 and 84.52.043; amending 1993 c 337 s 1 (uncodified); and providing an effective date.

Referred to Committee on Housing Stability & Affordability.

SB 6213 by Senators Das, Carlyle, Van De Wege, Dhingra, Kuderer, Lovelett, Nguyen, Billig, Rolfes, Saldaña, Darneille, Hasegawa and Liias

AN ACT Relating to certain expanded polystyrene products; reenacting and amending RCW 43.21B.110 and 43.21B.110; adding a new chapter to Title 70 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

SB 6214 by Senator Keiser

AN ACT Relating to repairing and replacing mitigation equipment installed as part of a remedial program within an impacted area; and amending RCW 53.54.030.

Referred to Committee on Local Government.

SB 6215 by Senator Braun

AN ACT Relating to establishing a collaborative process to alleviate the burden on local courts to determine indigency through proof of receipt of public assistance; amending RCW 10.101.020 and 74.04.060; and providing an effective date.

Referred to Committee on Law & Justice.

SB 6216 by Senators Keiser, Conway, Hunt, Van De Wege and Saldaña

AN ACT Relating to the application of the family and medical leave program in Title 50A RCW to specific classes of individuals; amending RCW 50A.05.010; and repealing RCW 50A.05.090.

Referred to Committee on Labor & Commerce.

SB 6217 by Senators Keiser, Saldaña, Nguyen and Hasegawa

AN ACT Relating to minimum labor standards for certain employees working at an airport or air navigation facility; and amending RCW 14.08.330 and 14.08.120.

Referred to Committee on Labor & Commerce.

SB 6218 by Senators Schoesler and Conway

AN ACT Relating to the definition of salary for the Washington state patrol retirement system; amending RCW 43.43.120; and creating a new section.

Referred to Committee on Ways & Means.

SB 6219 by Senators Conway and Schoesler

AN ACT Relating to the definition of index for the Washington state patrol retirement system; and reenacting and amending RCW 43.43.260.

Referred to Committee on Ways & Means.

SB 6220 by Senators Dhingra and Das

AN ACT Relating to restitution; amending RCW 9.94A.750; and creating a new section.

Referred to Committee on Law & Justice.

SB 6221 by Senator Stanford

AN ACT Relating to consumer protection with respect to the sale and adoption of dogs and cats; adding a new section to chapter 16.52 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 6222 by Senators Lovelett and Das

AN ACT Relating to commercial property assessed clean energy and resilience; and adding a new chapter to Title 35 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 6223 by Senators Lovelett, McCoy and Das

AN ACT Relating to expanding equitable access to the benefits of renewable energy through community solar projects; amending RCW 82.16.130, 82.16.160, 82.16.165, 82.16.170, 80.60.005, and 80.60.030; reenacting and amending RCW 80.60.010; creating new sections; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

SB 6224 by Senator Lovelett

AN ACT Relating to collective bargaining for administrative law judges; amending RCW 34.12.030 and 34.12.100; reenacting and amending RCW 41.80.005 and 41.80.010;

adding a new section to chapter 41.80 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 6225 by Senators Wagoner and Dhingra

AN ACT Relating to creating Washington law enforcement officer health and wellness special license plates; reenacting and amending RCW 46.18.200, 46.17.220, and 46.68.420; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

SB 6226 by Senator Wagoner

AN ACT Relating to regionalization factors used for Granite Falls school district compensation; and amending 2019 c 415 s 505 (uncodified).

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

SB 6227 by Senator Wagoner

AN ACT Relating to the burden of proof in disputes involving enforcement actions by certain regulatory agencies; adding a new section to chapter 43.21A RCW; adding a new section to chapter 43.23 RCW; adding a new section to chapter 43.30 RCW; adding a new section to chapter 43.70 RCW; and adding a new section to chapter 43.300 RCW.

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

SB 6228 by Senators Kuderer, Darneille, Saldaña, Pedersen, Nguyen, Hasegawa, Carlyle, Lovelett, Cleveland, Billig, Keiser, McCoy, Lias, Hunt, Wilson, C., Randall, Mullet, Takko and Das

AN ACT Relating to restoring voter eligibility for all persons convicted of a felony offense who are not in total confinement under the jurisdiction of the department of corrections; amending RCW 29A.08.520, 29A.08.230, 29A.40.091, 10.64.140, 2.36.010, and 72.09.275; adding a new section to chapter 29A.04 RCW; and providing an effective date.

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

SB 6229 by Senator Kuderer

AN ACT Relating to streamlining reporting for recipients of housing-related state funding by removing Washington state quality award program requirements; and amending RCW 43.185C.210.

Referred to Committee on Housing Stability & Affordability.

SB 6230 by Senator Kuderer

AN ACT Relating to the sale or lease of manufactured/mobile home communities and the property on which they sit; amending RCW 59.20.300 and 59.20.305; reenacting and amending RCW 59.20.030; adding new sections to chapter 59.20 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Housing Stability & Affordability.

SB 6231 by Senator Kuderer

AN ACT Relating to providing a limited property tax exemption for the construction of accessory dwelling units; amending RCW 84.36.400; and creating new sections.

Referred to Committee on Housing Stability & Affordability.

SB 6232 by Senator Kuderer

AN ACT Relating to the property tax exemption for nonprofit organizations providing rental housing or mobile home park spaces to qualifying households; amending RCW 84.36.560 and 84.36.815; and creating a new section.

Referred to Committee on Housing Stability & Affordability.

SB 6233 by Senators Kuderer, Hasegawa, Wellman, Rolfes, Saldaña, Hunt, Keiser and Das

AN ACT Relating to employee's rights concerning personnel files and disciplinary actions; and amending RCW 49.12.250.

Referred to Committee on Labor & Commerce.

SB 6234 by Senators Kuderer, Nguyen, Lovelett, Hasegawa, Das and McCoy

AN ACT Relating to the use of third parties by employers to dispute unemployment claims; amending RCW 50.32.020; adding a new section to chapter 50.44 RCW; creating a new section; and providing an effective date.

Referred to Committee on Labor & Commerce.

SB 6235 by Senators Kuderer, Lovelett, Wellman, Dhingra, Nguyen, Hasegawa, Das, McCoy and Pedersen

AN ACT Relating to exceptions to disqualification for unemployment insurance benefits when voluntarily leaving employment due to increases in job duties or changes in working conditions; reenacting and amending RCW 50.20.050; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 6236 by Senators Kuderer, Pedersen, Lovelett, Wellman and Hasegawa

AN ACT Relating to certain noneconomic damage waivers; and amending RCW 49.60.510.

Referred to Committee on Law & Justice.

SB 6237 by Senator Kuderer

AN ACT Relating to authorizing and encouraging cities to notify the department of children, youth, and families of conditions at family day-care provider facilities that could cause harm to a child's health, welfare, or safety; and amending RCW 35A.63.215.

Referred to Committee on Local Government.

SB 6238 by Senator Hunt

AN ACT Relating to requiring local ballot measure statement committee members to be registered voters in the

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

area voting on the measure; and amending RCW 29A.32.280.

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

SB 6239 by Senators Conway, Keiser, Hasegawa, Saldaña and Van De Wege

AN ACT Relating to compliance with apprenticeship utilization requirements and bidding on public works projects; and amending RCW 39.04.310 and 39.04.350.

Referred to Committee on Labor & Commerce.

SB 6240 by Senator Kuderer

AN ACT Relating to physician assistants; amending RCW 18.71A.020, 18.71A.025, 18.71A.030, 18.71A.050, 18.71A.060, 18.71A.090, 7.68.030, 18.06.140, 18.57.003, 18.79.040, 18.79.060, 18.79.240, 18.79.270, 18.100.050, 18.120.020, 18.130.410, 18.250.010, 28A.210.090, 43.70.220, 43.70.470, 46.19.010, 46.61.506, 46.61.508, 48.42.100, 48.43.094, 48.43.115, 51.04.030, 51.28.100, 69.41.030, 69.45.010, 70.41.210, 70.54.400, 70.128.120, 70.185.090, 70.225.040, 71.32.020, 74.09.010, 74.42.230, and 82.04.050; reenacting and amending RCW 18.71A.010, 18.79.260, 18.89.020, 18.130.040, 18.360.010, 43.70.110, 43.70.442, 69.41.010, 69.50.101, 69.51A.010, 70.180.030, 71.05.020, 71.24.025, 71.34.020, and 74.42.010; adding new sections to chapter 18.71A RCW; creating a new section; repealing RCW 18.57A.010, 18.57A.020, 18.57A.023, 18.57A.025, 18.57A.030, 18.57A.035, 18.57A.040, 18.57A.050, 18.57A.060, 18.57A.070, 18.57A.080, 18.57A.090, 18.57A.100, 18.57A.800, 18.57A.810, 18.71A.035, and 18.71A.040; providing effective dates; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SJM 8016 by Senator Hasegawa

Concerning the federal harbor maintenance tax.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SJR 8213 by Senators Fortunato and Sheldon

Amending the Constitution to create a term limit for the office of governor.

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

SJR 8214 by Senators Wilson, L. and Zeiger

Amending the Constitution to prohibit title-only bills.

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

SCR 8411 by Senators Liias and Short

Establishing cutoff dates for the consideration of legislation during the 2020 regular session of the sixty-sixth legislature.

MOTIONS

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

committees as designated with the exceptions of Senate Bill No. 6117 which had been designated to the Committee on Ways & Means and was referred to the Committee on Early Learning & K-12 Education; Senate Bill No. 6162 and Senate Bill No. 6220 which had been designated to the Committee on Human Services and were referred to the Committee on Law & Justice; and Senate Concurrent Resolution No. 8411 which had been held on the first reading calendar and was placed on the second reading calendar.

On motion of Senator Liias, and without objection, the rules were suspended and the following measures listed on the document entitled "Bill Dispositions 1/13/2020" were placed in the Committee on Rules "X file":

Engrossed Senate Bill No. 5008; Substitute Senate Bill No. 5030; Senate Bill No. 5036; Engrossed Substitute Senate Bill No. 5051; Senate Bill No. 5053; Engrossed Substitute Senate Bill No. 5067; Second Substitute Senate Bill No. 5093; Senate Bill No. 5113; Senate Bill No. 5120; Senate Bill No. 5125; Senate Bill No. 5128; Senate Bill No. 5133; Senate Bill No. 5134; Engrossed Substitute Senate Bill No. 5139; Second Substitute Senate Bill No. 5141; Substitute Senate Bill No. 5211; Senate Bill No. 5214; Senate Bill No. 5221; Substitute Senate Bill No. 5267; Senate Bill No. 5285; Second Substitute Senate Bill No. 5292; Engrossed Substitute Senate Bill No. 5295; Substitute Senate Bill No. 5303; Engrossed Substitute Senate Bill No. 5322; Engrossed Second Substitute Senate Bill No. 5327; Substitute Senate Bill No. 5363; Senate Bill No. 5367; Senate Bill No. 5375; Second Substitute Senate Bill No. 5376; Engrossed Second Substitute Senate Bill No. 5393; Senate Bill No. 5407; Senate Bill No. 5419; Substitute Senate Bill No. 5428; Senate Bill No. 5435; Substitute Senate Bill No. 5443; Senate Bill No. 5447; Senate Bill No. 5467; Engrossed Substitute Senate Bill No. 5478; Senate Bill No. 5501; Senate Bill No. 5518; Senate Bill No. 5584; Senate Bill No. 5585; Substitute Senate Bill No. 5593; Substitute Senate Bill No. 5603; Engrossed Senate Bill No. 5616; Senate Bill No. 5653; Engrossed Second Substitute Senate Bill No. 5662; Substitute Senate Bill No. 5687; Senate Bill No. 5716; Substitute Senate Bill No. 5735; Engrossed Senate Bill No. 5755; Engrossed Substitute Senate Bill No. 5765; Second Substitute Senate Bill No. 5774; Engrossed Substitute Senate Bill No. 5812; Second Substitute Senate Bill No. 5822; Senate Bill No. 5826; Senate Bill No. 5848; Substitute Senate Bill No. 5876; Substitute Senate Bill No. 5919; Senate Bill No. 5930; Senate Bill No. 5992; Senate Bill No. 8008.

The following measures under consideration by the Committee on Rules were referred to the Committee's 2nd Reading Calendar (Rules 2):

Senate Bill No. 5011; Senate Bill No. 5016; Senate Bill No. 5076; Senate Bill No. 5097; Senate Bill No. 5168; Senate Bill No. 5219; Senate Bill No. 5249; Senate Bill No. 5275; Senate Bill No. 5282; Senate Bill No. 5315; Senate Bill No. 5402; Senate Bill No. 5450; Senate Bill No. 5457; Senate Bill No. 5486; Senate Bill No. 5522; Senate Bill No. 5592; Senate Bill No. 5614; Senate Bill No. 5749; Senate Bill No. 5830; Senate Bill No. 5920; Senate Bill No. 5939.

The following measure under consideration by the Committee on Rules Committee, Senate Bill No. 5059, was referred from the Committee's X-file to the Committee on Labor & Commerce.

The following measures under consideration by the Committee on Rules: Senate Bill No. 5270; Senate Bill No. 5762; Senate Bill No. 8002; Senate Bill No. 8006 were referred from the Committee's X-file to the Committee on State Government.

The following measures under consideration by the Committee on Rules, Substitute Senate Bill No. 5388, Engrossed Senate Bill No. 5779, and Senate Bill No. 8403 were referred from the Committee's 3rd Reading Calendar (Rules 3) to the Committee on State Government.

The following measure under consideration by the Committee on Rules, Senate Bill No. 5299, was referred from the Committee's X-file to the Committee on Law & Justice.

The following measures under consideration by the Committee on Rules, Substitute Senate Bill No. 5532 and Second Substitute Senate Bill No. 5820 were referred from the Committee's 3rd Reading Calendar (Rules 3) to the Committee on K12 Education.

The following measures under consideration by the Committee on Rules, Senate Bill No. 5676 and Senate Bill No. 5679 were referred from the Committee's X-file to the Committee on Local Government.

The following measures under consideration by the Committee on Rules, Senate Bill No. 5182; Senate Bill No. 5351; Senate Bill No. 5533 were referred from the Committee's X-file to the Committee on Human Services.

The following measures under consideration by the Committee on Rules, Substitute Senate Bill No. 5164; Engrossed Second Substitute Senate Bill No. 5291; Substitute Senate Bill No. 5488; Senate Bill No. 5640 were referred from the Committee's 3rd Reading Calendar (Rules 3) to the Committee on Human Services.

The following measure under consideration by the Committee on Rules, Senate Bill No. 5338, was referred from the Committee's 2nd Reading Calendar (Rules 2) to the Committee on Human Services.

The following measure under consideration by the Committee on Rules, Engrossed Substitute Senate Bill No. 5544 was referred from the Committee's 3rd Reading Calendar (Rules 3) to the Committee on Transportation.

The following measures under consideration by the Committee on Rules, Senate Bill No. 5970, Senate Bill No. 5972, and Senate Bill No. 8206 were referred from the Committee's 2nd Reading Calendar (Rules 2) to the Committee on Transportation.

The following measures under consideration by the Committee on Rules, Senate Bill No. 5636, Senate Bill No. 5862, Senate Bill No. 5872, and Senate Bill No. 5963, were referred from the Committee's X-file to the Committee on Ways & Means.

The following measures under consideration by the Committee on Rules, Senate Bill No. 5828 and Engrossed Substitute Senate Bill No. 5853, were referred from the Committee's 3rd Reading Calendar (Rules 3) to the Committee on Ways & Means.

The following measure under consideration by the Committee on Rules, Senate Bill No. 5537 was referred to the Committee on Ways & Means.

MOTION

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

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8411, by Senators Liias and Short

Establishing cutoff dates for the consideration of legislation during the 2020 regular session of the sixty-sixth legislature.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, Senate Concurrent Resolution No. 8411 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. 8411.

SENATE CONCURRENT RESOLUTION NO. 8411 having received a majority was adopted by voice vote.

MOTION

At 12:43 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 1:22 p.m. by President Habib.

MOTION

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

MESSAGE FROM THE HOUSE

January 13, 2020

MR. PRESIDENT:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4402,

HOUSE CONCURRENT RESOLUTION NO. 4403,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

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

SUPPLEMENTAL INTRODUCTION AND FIRST READING

HCR 4402 by Representatives Sullivan, Kretz and Wylie
Specifying the status of bills, resolutions, and memorials.

HCR 4403 by Representatives Sullivan and Kretz
Calling a Joint Session of the Legislature for the State of the State Address.

MOTION

On motion of Senator Liias, under suspension of the rules House Concurrent Resolution No. 4402 and House Concurrent Resolution No. 4403 were placed on the second reading calendar.

MOTION

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

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4402, by Representatives Sullivan and Kretz

Specifying the status of bills, resolutions, and memorials.

The measure was read the second time.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

MOTION

On motion of Senator Liias, the rules were suspended, House Concurrent Resolution No. 4402 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. 4402.

HOUSE CONCURRENT RESOLUTION NO. 4402 having received a majority was adopted by voice vote.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4403, by Representatives Sullivan and Kretz

Calling a Joint Session of the Legislature for the State of the State Address.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, House Concurrent Resolution No. 4403 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. 4403.

HOUSE CONCURRENT RESOLUTION NO. 4403 having received a majority was adopted by voice vote.

MOTION

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

January 13, 2020

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

Ladies and Gentlemen:

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:

Agriculture, Department of – “*Pesticide Management Division 2018 Annual Report*”, pursuant to 15.58.420 RCW; “*Electronic Cattle Transaction Reporting System, 2019 Report*”, pursuant to 16.57.450 RCW; “*Funding Gap Analysis and Sustainable Farms*” in accordance with Engrossed Substitute House Bill No. 1109; “*Gap Analysis and Sustainable Farms Budget Proviso*” in accordance with Engrossed Substitute House Bill No. 1109;

AT&T – “*Permits Issued Pertaining to Wireless Facilities, Exemptions, and Total Dollars Invested, July 1, 2013 - June 30, 2019*”, in accordance with House Bill No. 1183;

Auditor’s Office, Washington State – “*Audits of State Agency Local Funds, July 1, 2017 - June 30, 2019*”, pursuant to 43.09.420 RCW;

Beef Commission, Washington State – “*Beef Commission 2019-20 Strategic Plan*”, pursuant to 16.67 RCW; “*Beef Commission 2018-19 Annual Report*”, pursuant to 16.67 RCW;

Career Connect Washington – “*2019 Progress Report to the Legislature*”, in accordance with Engrossed Second Substitute House Bill No. 2158;

Caseload Forecast Council – “*Adult General Disproportionality Report for Fiscal Year 2019*”, in accordance with Engrossed Substitute Senate Bill No. 6032;

Children, Youth, and Families, Department of – “*Network Administrator Procurement Efforts, 2019 Update*”, pursuant to 43.216.015 RCW; “*Traumatic Brain Injury -- A Collaboration on TBI Screening for Children and Youth in Foster Care*”, in accordance with Substitute House Bill No. 1605; “*Child Fatality Report, January - March 2019*”, pursuant to 74.13.640 RCW; “*Newborn Safe Surrender -- Information Collection 2009-2018*”, pursuant to 13.34.360 RCW; “*Quality Assurance Report, July 1, 2017 - June 30, 2018*”, pursuant to 43.20A.870 RCW; “*Child Fatality Report, April - June 2019*”, pursuant to 74.13.640 RCW; “*Kinship Care Oversight Committee 2019 Report*”, pursuant to 74.13.621 RCW;

Commerce, Department of – “*Child Care Collaborative Task Force*”, pursuant to 43.01.036 RCW; “*Homeless Housing Crisis Response System Strategic Plan 2019-2024*”, pursuant to 43.185C.040 RCW; “*Stormwater Managers Guide: Is a Community-Based Public-Private Partnership Right for Your Community*”, in accordance with Engrossed Substitute Senate Bill No. 6095; “*Yakima Convention Center Expansion Financial Feasibility Review*”, pursuant to 35.57.025 RCW; “*El Nuevo Camino Legislative Report*”, in accordance with Substitute Senate Bill No. 5883; “*Independent Contractor Study, 2019 Report*”, in accordance with Engrossed Substitute Senate Bill No. 6032; “*Public Works Board, Fiscal Year 2019 Emergency and Pre-construction Loans*”, pursuant to 43.155.070 RCW; “*Green Economy Interim Report*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Snohomish Diversion Pilot: Treatment Services for Homeless Individuals with Substance Abuse Disorders as an Alternative to Jail*”, in accordance with Engrossed Substitute Senate Bill No. 6032; “*Industrial Waster Coordination (Industrial Symbiosis) Program Recommendations*”, in accordance with Substitute Senate Bill No. 5936; “*Interbay Public Development Advisory Committee Recommendations and Implementation Plan*”, in accordance with Engrossed Substitute Senate Bill No. 6095; “*Sexual Assault Response: Increasing Sexual Assault Nurse Examiner Availability and Access Statewide*”, in accordance with Substitute House Bill No. 2101; “*Encouraging Investments in Affordable and Supportive Housing -- Update on Implementation*”, pursuant to 82.14.540 RCW; “*Skilled Worker Outreach, Recruitment and Career Awareness Grant Program*”, pursuant to 43.329.070 RCW; “*Criminal Penalty Fees Related to Sexual Exploitation Crimes, Fiscal Year 2019 Report*”, pursuant to 43.280.100 RCW;

Conservation Commission, Washington State – “*Gap Analysis and Sustainable Farms Budget Proviso*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Funding Gap Analysis and Sustainable Farms*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Food Policy Forum Recommendations to the Legislature*”, in accordance with Engrossed Substitute Senate Bill No. 6032;

Corrections Ombuds, Office of the – “*Annual Report 2019*”, pursuant to 43.06C RCW; “*Investigation Report*”, pursuant to 43.06C RCW;

Corrections, Department of – “*Custody Staff: Health Care Delivery, 2019 Report to the Legislature*” in accordance with Engrossed Substitute House Bill No. 1109; “*Extraordinary*”

Medical Placement Report for 2018”, pursuant to 72.09.620 RCW; “*Work Release Expansion -- Implementation Plan, 2019 Report*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Nurse Staffing, 2019 Report to the Legislature*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Use of Secured-Internet to Expand Postsecondary Education Opportunities to Enhance Public Safety*”, in accordance with Substitute Senate Bill No. 5443; “*Body Scanner Pilot: An Alternative to Strip Searches of Incarcerated Individuals, 2019 Report*”, in accordance with Engrossed Substitute Senate Bill No. 6032; “*Yakima Jail Therapeutic Community Program, 2019 Report*”, in accordance with Engrossed Substitute House Bill No. 1109;

Courts, Administrative Office of the - “*District and Municipal Court Judges’ Association Annual Report for 2019*”, pursuant to 3.70.040 RCW;

Developmental Disabilities - Residential Habilitation Center Workgroup - “*Rethinking Intellectual and Developmental Disability Policy to Empower Clients, Develop Providers, and Improve Services*”, in accordance with Engrossed Substitute House Bill No. 1109;

Developmental Disabilities Ombuds, Office of the - “*Annual Report for State Fiscal Year 2018*”, pursuant to 43.382.005 RCW; “*Expansion Plan*”, pursuant to 43.382.005 RCW;

Ecology, Department of - “*Brownfield Redevelopment Trust Fund Account, 2019 Report*”, pursuant to 70.105D.140 RCW; “*Statewide Progress on Setting Instream Flows*”, pursuant to 90.82.080 RCW; “*Cleanup Settlement Account, Annual Report for 2019 Fiscal Year*”, pursuant to 70.105D.130 RCW; “*Compliance and Enforcement of Water Rights in Designated Basins*”, in accordance with Engrossed Substitute Senate Bill No. 6032; “*Antifouling Paints in Washington State Report and Recommendations*”, in accordance with Substitute House Bill No. 2634; “*Progress in Reducing Fine Particle Air Pollution in Tacoma-Pierce County*”, pursuant to 70.94.605 RCW; “*Upper Skagit Water Resource Studies*”, in accordance with Engrossed Substitute Senate Bill No. 6095; “*Model Toxics Control Accounts (MTCAs) Report of Expenditures for the 2017-2019 Biennium*”, pursuant to 70.105D.030 RCW; “*Greenhouse Gas Emissions Reduction Limits*”, pursuant to 70.235.040 RCW; “*Columbia River Basin Water Supply Inventory Report, 2019*”, pursuant to 90.90.040 RCW;

Education, Washington State Board of - “*Mastery-based Learning, Interim Report*”, in accordance with Engrossed Second Substitute House Bill No. 1599;

Enterprise Services, Department of - “*Campus-wide Electrical Service Panels -- Arc Flash Study Preliminary Report*”, in accordance with Substitute House Bill No. 1102; “*Information Technology Contracts Report Supplement*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Leased Facilities Report for Fiscal Year 2018-19*”, pursuant to 43.82.010 RCW; “*Biodiesel Use by Washington State Agencies, January - December 2018*”, pursuant to 43.19.646 RCW; “*Information Technology Contracts Report*”, in accordance with Engrossed Substitute House Bill No. 1109;

Financial Management, Office of - “*Credit Card Cost Recovery*”, in accordance with Engrossed Substitute House Bill No. 1160; “*Facilities Inventory Report, 2019*”, pursuant to 43.82.150 RCW; “*One Washington Quarterly Report, January - March 2019*”, in accordance with Substitute Senate Bill No. 5883; “*Performance-Based Incentives and Recognition Report, 2019*”, pursuant to 41.06.133 RCW; “*Veteran Employment Program*”, pursuant to 43.41.460 RCW; “*Credit Card Cost Recovery, Attachment 1, Volumes*”, in accordance with Engrossed Substitute House Bill No. 1160; “*Credit Card Cost Recovery, Attachment 2, State Agency Fiscal Analysis*”, in accordance with

Engrossed Substitute House Bill No. 1160; “*Primary Care Expenditures, Summary of current primary care expenditures and investment in Washington*”, in accordance with Engrossed Substitute House Bill No. 1109;

Fish and Wildlife, Department of - “*Derelict Shellfish Gear Removal and Disposal, 2019 Annual Report*”, pursuant to 77.32.430 RCW;

Hatchery Spending and Project, Joint Legislative Task Force - “*Joint Legislative Hatchery Spending and Project Task Force Final Report*”, in accordance with Engrossed Substitute House Bill No. 1109;

Health Care Authority - “*Washington Autism Alliance and Advocacy Final Report*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Jail Transition Services, 2019 Report*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Addendum to the Designated Crisis Responder (DCR) Statewide Protocols*”, in accordance with Substitute House Bill No. 1907; “*Bree Collaborative Annual Report for 2019*”, in accordance with Engrossed Substitute House Bill No. 1311; “*Service Coordination Organization and Managed Care Performance Measure Report, Accountability Implementation Status, 2019*”, pursuant to 70.320.050 RCW; “*Long-Term Behavioral Health Inpatient Involuntary Care, Access, Purchasing, and Bidirectional Integration*”, in accordance with Engrossed Second Substitute Senate Bill No. 5432; “*Self Sufficiency of Accountable Communities of Health*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Rate Methodology for 90- and 180-Day Civil Commitment Beds*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Behavioral Health Consultation and Referral Service*”, in accordance with Engrossed Second Substitute Senate Bill No. 5432; “*Prescription Drug Price Transparency and Purchasing*”, in accordance with Engrossed Second Substitute House Bill No. 1224; “*Increasing Clubhouse Programs*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Services to Lower the Risk of Recidivism Oversight Committee and the Offender Reentry Committee Safety Program (ORCSP)*”, pursuant to 71.24.460 RCW; “*Proportion of Non-Participating Providers Serving Apple Health Enrollees, July 1, 2018 - June 30, 2019*”, pursuant to 74.09.522 RCW; “*Public Employees Benefits Board Annual Report, Customer Service Complaints and Appeals, July 2018 - June 2019*”, pursuant to 41.05.630 RCW; “*Health Care Innovation Plan, Final Status Report*”, in accordance with Engrossed Second Substitute House Bill No. 2572; “*Medicaid Managed Care Preventative Services and Vaccinations*”, in accordance with Engrossed Substitute House Bill No. 1109; “*County Appropriations, Criminal Justice Treatment Account (CJTA) Administration*”, in accordance with Engrossed Substitute House Bill No. 1109; “*PEBB Health Benefit Plan: Cost and Utilization Trends, Demographics, and Impacts of Alternative Consumer-Directed Health Plan, 2019 Report*”, pursuant to 41.05.065 RCW; “*Rural Health Clinics Reconciliation Status, Calendar Years 2011-2013 and 2014-2017*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Medicaid Transformation Project (MTP) Demonstration, Section 1115 Waiver Quarterly Report for January - March 2019*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Access to Baby and Child Dentistry (ABCD) Program: Expanding to Children with Disabilities: Final Report*”, in accordance with Substitute Senate Bill No. 6549; “*Hepatitis C Medications, Comprehensive Purchasing Strategies*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Bleeding Disorder Collaborative for Care*”, in accordance with Engrossed Substitute Senate Bill No. 6052; “*Health and Human Services Enterprise Coalition, Legislative Proviso Report on IT Investment Coordination*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Universal Health Care Work*

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

Group Preliminary Report”, in accordance with Engrossed Substitute House Bill No. 1109; “*Access to Behavioral Health Services for Children, 2019 Report*”, pursuant to 74.09.495 RCW; “*Evidence Based Practice Institute*”, in accordance with Engrossed Substitute House Bill No. 1109;

Health Insurance Pool, Washington State (WSHIP) – “*Annual Report for 2018*” pursuant to 48.41.240 RCW;

Health, Department of – “*Long-term Care Workforce Development Interim Report*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Prescription Monitoring Program Integration*” pursuant to 70.225 RCW; “*Maternal Mortality Review Panel: Maternal Deaths 2014-2016*”, pursuant to 70.54.450 RCW; “*Physical Therapists and Spinal Manipulation*”, pursuant to 18.74 RCW; “*Mental Health Providers Credential Renewals, 2019 Report*”, pursuant to 18.225.800 RCW; “*Manufacturing Generic Drugs*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Reimbursement for Healthcare Services Provided by Fire Departments [CARES]*”, in accordance with Engrossed Second Substitute House Bill No. 1358; “*Healthcare Associated Infections, 2019 Report*”, pursuant to 43.70.056 RCW; “*Improving Behavioral Health and Suicide Prevention in the Washington State Agricultural Industry, Pilot Program Preliminary Report*”, in accordance with House Bill No. 2671; “*Resident Rights and Access to Ombuds Services in Intensive Behavioral Health Treatment Facilities*”, in accordance with Second Substitute House Bill No. 1394

Independent Colleges of Washington – “*Washington Student Loan Transparency Act Compliance Report, 2019*”, pursuant to 28B.10.285 RCW;

Insurance Commissioner, Office of the – “*Direct Practices in Washington State, 2019 Report*”, pursuant to 48.150.100 RCW; “*Washington Disaster Resiliency Work Group Preliminary Report*” in accordance with Senate Bill No. 5106; “*Mandated Health Benefits Report, 2020 Plan Year*”, pursuant to 48.43.715 RCW; “*Fixed-Payment Benefit Plans Annual Report for 2019*”, pursuant to 48.43.650 RCW; “*Medical Malpractice Annual Report for 2019: Claims Closed from January 1, 2014 through December 31, 2018*”, pursuant to 48.140.050 RCW; “*Individual Market Health Plans, Plan Year 2020*”, in accordance with Engrossed Substitute House Bill No. 1109;

Labor and Industries, Department of – “*Farm Internship Pilot Project, 2019 Report*”, pursuant to 49.12.470 RCW; “*Prevailing Wage Determinations, Fiscal Year 2019 Report*”, pursuant to 39.12 RCW; “*Underground Economy Benchmark Report for 2019*”, pursuant to 18.27.800 RCW; “*Wage, Child Labor and Protected Leave Investigations, 2019 Report*”, pursuant to 49.12.180 RCW; “*Office of the Ombuds for Injured Workers of Self-Insured Employers, July 2018 - June 2019*”, pursuant to 51.14.400 RCW;

Medical Commission, Washington – “*Integration of International Medical Graduates (IMG) into Washington’s Health Care System: Strategies and Recommendations from the 2019 IMG Workgroup*”, in accordance with Second Substitute Senate Bill No. 5846;

Military Department – “*2019 Report to the Legislature*”, in accordance with Substitute Senate Bill No. 5046;

Natural Resources, Department of – “*Electric Utility Wildland Fire Prevention Task Force, Preliminary Report*”, in accordance with Substitute Senate Bill No. 5305; “*Aerial Herbicides in Forestlands*”, in accordance with Substitute Senate Bill No. 5597; “*Recommendations on the Underutilized Portions of the Fircrest Campus*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Trust Lands Performance Assessments:*

Maximizing Opportunities, 2019 Report”, in accordance with Substitute House Bill No. 1102;

Professional Educator Standards Board – “*Alternative Routes to Teacher Certification*”, pursuant to 28A.660.020 RCW; “*Paraeducators in Washington’s Teach Workforce, Recommendations to remove barriers faced by school districts and ESDs as they support paraeducators in teacher roles*”, in accordance with Substitute House Bill No. 1658; “*Paraeducator Pilot Program Final Report*”, in accordance with Engrossed Substitute House Bill No. 1115; “*Potential of Micro-credentials in Washington State*”, in accordance with Engrossed Second Substitute House Bill No. 1139;

Public Employment Relations Commission – “*Annual Report for 2018*”, pursuant to 41.58.010 RCW;

Public Instruction, Office of the Superintendent of – “*Social Emotional Learning in Washington’s K-12 Public Schools*”, in accordance with Substitute Senate Bill No. 5883; “*Social Emotional Learning in Washington’s K-12 Public Schools, Appendix A - SEL Workgroup Membership*”, in accordance with Substitute Senate Bill No. 5883; “*Social Emotional Learning in Washington’s K-12 Public Schools, Appendix B – Glossary*”, in accordance with Substitute Senate Bill No. 5883; “*Social Emotional Learning in Washington’s K-12 Public Schools, Appendix C - SEL Implementation Guide*”, in accordance with Substitute Senate Bill No. 5883; “*Social Emotional Learning in Washington’s K-12 Public Schools, Appendix D - SEL Standards, Benchmarks, and Indicators*”, in accordance with Substitute Senate Bill No. 5883; “*Social Emotional Learning in Washington’s K-12 Public Schools, Appendix E - Brief for Education Leaders*”, in accordance with Substitute Senate Bill No. 5883; “*Social Emotional Learning in Washington’s K-12 Public Schools, Appendix F - Brief for Educators*”, in accordance with Substitute Senate Bill No. 5883; “*Social Emotional Learning in Washington’s K-12 Public Schools, Appendix G - Brief for Parents and Families*”, in accordance with Substitute Senate Bill No. 5883; “*Social Emotional Learning in Washington’s K-12 Public Schools, Appendix H - Brief for Community and Youth Development Organizations*”, in accordance with Substitute Senate Bill No. 5883; “*Social Emotional Learning in Washington’s K-12 Public Schools, Appendix I - Brief on Culturally Responsive Practices*”, in accordance with Substitute Senate Bill No. 5883; “*Social Emotional Learning in Washington’s K-12 Public Schools, Appendix J - Stakeholder Feedback and Community Outreach Summary*”, in accordance with Substitute Senate Bill No. 5883; “*Social Emotional Learning in Washington’s K-12 Public Schools, Appendix K - Social and Emotional Learning across Washington*”, in accordance with Substitute Senate Bill No. 5883; “*Social Emotional Learning in Washington’s K-12 Public Schools, Appendix L - National SEL Environment Scan*”, in accordance with Substitute Senate Bill No. 5883; “*Social Emotional Learning in Washington’s K-12 Public Schools, Appendix M - SEL and Equity: Current Issues and Considerations*”, in accordance with Substitute Senate Bill No. 5883; “*Social Emotional Learning in Washington’s K-12 Public Schools, Appendix N -- SEL Standards, Annotated Bibliography Evidence Basis for SEL*”, in accordance with Substitute Senate Bill No. 5883; “*Social Emotional Learning in Washington’s K-12 Public Schools, Appendix O - Annotated Bibliography Standards and Benchmarks*”, in accordance with Substitute Senate Bill No. 5883; “*Social Emotional Learning in Washington’s K-12 Public Schools, Appendix P - SEL Indicators: Reference List*”, in accordance with Substitute Senate Bill No. 5883; “*Social Emotional Learning in Washington’s K-12 Public Schools, Appendix Q - October 2016 SEL Benchmarks Workgroup Report*”, in accordance with Substitute Senate Bill No. 5883;

“*Online Learning: Update*”, pursuant to 28A.250.040 RCW; “*Transitional Bilingual Instruction Program (TBIP), Update, 2017-18*”, pursuant to 28A.180.020 RCW; “*Building Bridges Workgroup (Dropout Prevention, Intervention, and Reengagement), 2018 Update*”, pursuant to 28A.175.075 RCW; “*K-4 Reading Levels, Update, 2017-18*”, pursuant to 28A.320.203 RCW; “*Covering the Costs of Dual Credit for Students and Families, 2019 Report*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Competency-Based Assessments, 2019*”, pursuant to 28A.655.070 RCW; “*Weapons in Schools, 2019 Update*”, pursuant to 28A.320.130 RCW; “*OSPI’s Work in Sexual Health Education, 2019 Report*”, in accordance with Engrossed Substitute Senate Bill No. 6032; “*Staffing Enrichment Workgroup Recommendations, 2019*”, pursuant to 28A.400.007 RCW; “*Schools Implementing the Community Eligibility Provision, 2019 Report*”, pursuant to 28A.235.290 RCW; “*Special Education Safety Net Survey, 2019*”, pursuant to 28A.150.392 RCW; “*Educational Technology Assessments, 2018-19 Update*”, pursuant to 28A.655.075 RCW; “*School Transportation Efficiency, 2019 Report*”, pursuant to 28A.160.117 RCW; “*Gangs in Schools Task Force, 2019 Update*”, pursuant to 28A.300.490 RCW; “*Sexual Health Education Workgroup Recommendations*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Sexual Health Education Data Survey*”, in accordance with Engrossed Substitute House Bill No. 1109; “*The State of Native Education, 2019 Update*”, pursuant to 28A.300.105 RCW;

Public Works Board – “*Public Works Board, Fiscal Year 2019 Emergency and Pre-construction Loans*”, pursuant to 43.155.070 RCW;

Puget Sound Partnership – “*State of the Sound*”, pursuant to 90.71.200 RCW;

Recreation and Conservation Commission – “*Economic, Environmental, & Social Benefits of Recreational Trails in Washington State*”, in accordance with Engrossed Substitute Senate Bill No. 6032;

Recreation and Conservation Office – “*Recreational Assets of Statewide Significance in Washington State, Study Report*”, in accordance with Engrossed Substitute Senate Bill No. 6095; “*Nason Ridge Community Forest Management Plan*”, in accordance with Engrossed Substitute House Bill No. 1109;

Revenue, Department of – “*Local Business Licensing Partnership Plan Fiscal Year 2020-2021*”, pursuant to 35.90.020 RCW; “*State Agency Business Licensing Information for 2019*”, pursuant to 19.02.055 RCW; “*Local Business Licensing Progress Report, 2019*”, pursuant to 35.90.020 RCW; “*Fair Report, 2019*”, in accordance with Engrossed Substitute House Bill No. 1109; “*State Agency Business Licensing Information for 2019 Appendix*”, pursuant to 19.02.055 RCW; “*Descriptive Statistics for Tax Incentive Programs, Covering Calendar Year 2018 Activity*”, pursuant to 82.32.534 RCW; “*Tax Exemption Study for 2020*”, pursuant to 43.06.400 RCW; “*Local Revitalization Financing Program Report, 2019 Report covering Calendar Year 2018*”, pursuant to 82.32.765 RCW; “*Hospital Benefit Zone Financing Program Report, 2019 Report covering Calendar Year 2018*”, pursuant to 82.14.470 RCW;

Sea Grant, Washington – “*Shellfish Production Best Management Practices Three-Year Study, Progress Report*”, in accordance with Engrossed Substitute House Bill No. 1109;

Sexual Assault Programs, Washington Coalition of – “*Addressing Harm Caused in the Exchange of Intimate Images by Minors, 2019 Report*”, in accordance with House Bill No. 1742;

Sheriffs and Police Chiefs, Washington Association of – “*Arrest and Jail Alternatives -- Law Enforcement Grant Program, 2019 Report*”, in accordance with Second Substitute House Bill No. 1767;

Social & Health Services, Department of – “*Improving Inpatient and Staff Safety in State Hospitals -- Status Report*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Basic Food Employment and Training Program (BFET) Expansion, 2019 Report*”, pursuant to 74.04.535 RCW; “*Snohomish Diversion Pilot: Treatment Services for Homeless Individuals with Substance Abuse Disorders as an Alternative to Jail*”, in accordance with Engrossed Substitute Senate Bill No. 6032; “*WorkFirst Spending Plan Monitoring Report, 1st Quarter State Fiscal Year 2020, as of September 30, 2019*”, pursuant to 74.08A.341 RCW; “*Staffing Levels Compared to Allotments*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Violations, Penalties, and Actions Relating to Persons on Conditional Release to a Less Restrictive Placement, 2019 Report*”, pursuant to 71.09.325 RCW; “*Forensic Admissions and Evaluations - Performance Targets 2018 Fourth Quarter (October 1, 2018 - December 31, 2018)*”, pursuant to 10.77.068 RCW; “*WorkFirst Maintenance of Effort and Work Participation Rate, July - September 2018*”, in accordance with Engrossed Substitute Senate Bill No. 6032; “*WorkFirst Wage Progression Report through Second Quarter 2018*”, pursuant to 74.08A.411 RCW; “*Assisted Living Facility Quality Measures*”, pursuant to 18.20.510 RCW; “*Department Efforts to Reduce Violence in the State Hospitals, September 2019*”, pursuant to 72.23.451 RCW; “*WorkFirst Spending Plan, 2019-21 Biennial Spending Plan*”, pursuant to 74.08A.341 RCW; “*State Hospital Staffing Levels Compared to Allotments*”, in accordance with Engrossed Substitute Senate Bill No. 6032; “*WorkFirst Spending Plan Monitoring Report, 3rd Quarter State Fiscal Year 2019, as of March 31, 2019*”, pursuant to 74.08A.341 RCW; “*WorkFirst Wage Progression Report through Third Quarter 2018*”, pursuant to 74.08A.411 RCW; “*Resources to Initiate Successful Employment (RISE), Final Report*”, in accordance with Engrossed Substitute Senate Bill No. 6032; “*WorkFirst Wage Progress Report through Fourth Quarter 2018*”, pursuant to 74.08A.411 RCW; “*State Psychiatric Hospital Forensic and Civil Bed Need Models*”, in accordance with Engrossed Substitute House Bill No. 1109; “*WorkFirst Maintenance of Effort and Work Participation Rate, January - March 2019*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Forensic Admissions and Evaluations - Performance Targets 2019 First Quarter (January 1, 2019 - March 31, 2019)*”, pursuant to 10.77.068 RCW; “*Forensic Admissions and Evaluations - Performance Targets 2019 Second Quarter (April 1, 2019 - June 30, 2019)*”, pursuant to 10.77.068 RCW; “*Washington Connection Benefit Portal 2019 Report*”, pursuant to 74.04.225 RCW; “*WorkFirst Maintenance of Effort and Work Participation Rate, October - December 2018*”, in accordance with Engrossed Substitute House Bill No. 1109; “*WorkFirst Wage Progression Report through Fourth Quarter 2018*”, pursuant to 74.08A.411 RCW; “*Western State Hospital - City of Lakewood Community Policing Program*”, in accordance with Substitute Senate Bill No. 5883; “*WorkFirst Spending Plan Monitoring Report, 4th Quarter State Fiscal Year 2019, as of June 30, 2019*”, pursuant to 74.08A.341 RCW; “*State-Operated Behavioral Health Group Training Home*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Efforts to Secure Federal Changes to Permit Full Implementation of Chapter 407, Laws of 2019 (2SHB 1893)*”, pursuant to 43.20A.755 RCW; “*Recommendations for Implementation of an Asset Verification System*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Asset Verification System Feasibility Study*”, in accordance with Engrossed Substitute House Bill No. 1109;

Tacoma-Pierce County Health Department – “*Improving the Rate of Potentially Preventable Hospitalizations*”, in accordance with Engrossed Substitute House Bill No. 1109;

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

Transportation, Department of – “*Freight Rail Investment Bank (FRIB) and Freight Rail Assistance Program (FRAP) 2019-21 Progress Report*”, in accordance with Engrossed Substitute House Bill No. 1160; “*Toll Division Proviso Report, July - September 2019*”, in accordance with Engrossed Substitute Senate Bill No. 6106; “*Recycle Concrete Usage in Aggregate Materials, 2019 Annual Report*”, pursuant to 70.95.807 RCW; “*Capital Projects and Nickel/TPA/Connecting Washington Projects Quarterly Reports - 2019-2021 Biennium Quarter 1*”, in accordance with Engrossed Substitute House Bill No. 1160; “*Cooper Jones Active Transportation Safety Advisory Council 2019 Annual Report*”, in accordance with Substitute Senate Bill No. 5710; “*Interstate Bridge Replacement Project, December 2019 Progress Report*”, in accordance with Engrossed Substitute House Bill No. 1160; “*I-405 Express Toll Lanes: 45 Months of Operations, October 2015 - June 2019*”, pursuant to 47.56.880 RCW; “*Practical Design Savings on Connecting Washington Funded Projects, January 2020*”, pursuant to 47.01.480 RCW; “*Labor System Replacement Project Status Report*”, in accordance with Engrossed Substitute House Bill No. 1160; “*Public Transportation Mobility Report for 2019*”, pursuant to 47.66 RCW; “*Pre-Apprentice Support Services and On-the-Job Training Support Services Program, 2019 Report*”, pursuant to 47.01.435 RCW; “*Public Transportation, 2018 Summary*”, pursuant to 35.58.2796 RCW; “*Transit Integration Report for 2019*”, pursuant to 35.58.2796 RCW; “*Pedestrian and Bicycle & Safe Routes to School Programs, 2019 Status Report, Local Programs*”, in accordance with Engrossed Substitute House Bill No. 1160; “*Connecting Washington Programs with Benefits to Transit, Bicycle, and Pedestrian Elements, Fiscal Year 2019*”, in accordance with Engrossed Substitute House Bill No. 1160; “*Fund Transfers Report (TPA and CWA Accounts), October - December 2019*”, in accordance with Engrossed Substitute House Bill No. 1160; “*Administrative Funds Transfers, July - September 2019*”, in accordance with Engrossed Substitute House Bill No. 1160; “*Toll Division Proviso Report, April - June 2019*”, in accordance with Engrossed Substitute Senate Bill No. 6106; “*Capital Projects and Nickel/TPA Projects Quarterly Reports - 2017-2019 Biennium Quarter 8*”, in accordance with Engrossed Senate Bill No. 5096; “*Fund Transfers Report, April - June 2019*”, in accordance with Engrossed Substitute Senate Bill No. 6106; “*Tort Judgments and Settlements Pertaining to Washington State Ferries and non-WSF Operations*”, in accordance with Engrossed Substitute House Bill No. 1160; “*I-405 Express Toll Lanes: 42 Months of Operations, October 2015 - March 2019*”, pursuant to 47.56.880 RCW; “*Rail Fixed Guideway Public Transportation System Safety Report for 2018*”, pursuant to 81.104.115 RCW; “*Implementing Practical Design Connecting Washington Project Title and Scope Change Request, July 16, 2019*”, pursuant to 47.01.480 RCW; “*Practical Design Savings on Connecting Washington Funded Projects, July 2019*” pursuant to 47.01.480 RCW; “*Ultra-High-Speed Ground Transportation Business Case Analysis, Final Report*”, in accordance with Engrossed Substitute Senate Bill No. 6106; “*Fund Transfers Report (TPA and CWA Accounts), July - September 2019*”, in accordance with Engrossed Substitute House Bill No. 1160; “*Fund Transfers Report (TPA and CWA Accounts), April - June 2019*”, in accordance with Engrossed Substitute Senate Bill No. 6106; “*Advancing Connecting Washington Projects, September 2019*” in accordance with Engrossed Substitute House Bill No. 1160; “*Electric Aircraft Working Group Report*”, in accordance with Engrossed Substitute Senate Bill No. 6106; “*Toll Division Proviso Report, January - March 2019*”, in accordance with Engrossed Substitute Senate Bill No. 6106; “*Small Business Transit Subsidy*”, in accordance with Engrossed Substitute Senate

Bill No. 6106; “*Capital Projects and Nickel/TPA Projects Quarterly Reports - 2017-2019 Biennium Quarter 7*”, in accordance with Engrossed Senate Bill No. 5096; “*Fund Transfers Report (TPA and CWA Accounts), January - March 2019*”, in accordance with Engrossed Substitute Senate Bill No. 6106; “*Administrative Funds Transfers, January - March 2019*”, in accordance with Engrossed Substitute Senate Bill No. 6106; “*Puget Sound Gateway Program City of Kent Significant Business Proviso Report Update*”, in accordance with Engrossed Substitute Senate Bill No. 6106; “*I-405 Express Toll Lanes: 39 Months of Operations, October 2015 - December 2018*”, pursuant to 47.56.880 RCW;

University of Washington – “*Suicide Prevention Training, Behavioral Health Services and Awareness Raising among Washington State Postsecondary Education Institutions*”, in accordance with Substitute Senate Bill No. 6514; “*Mobile Observations of Ultrafine Particles: The MOV-UP Study Report*”, in accordance with Substitute Senate Bill No. 5883;

US Cellular – “*Permits Issued Pertaining to Wireless Facilities, Exemptions, and Total Dollars Invested, July 1, 2013 - June 30, 2019*”, in accordance with House Bill No. 1183;

Utilities and Transportation Commission – “*Stakeholder Work Group Discussions and Recommended Improvements to the Washington Underground Utilities Damage Prevention Act*”, in accordance with Engrossed Substitute House Bill No. 1109;

Verizon Wireless – “*Permits Issued Pertaining to Wireless Facilities, Exemptions, and Total Dollars Invested, July 1, 2013 - June 30, 2019*”, in accordance with House Bill No. 1183;

Washington State University Energy Program – “*Renewable Energy System Incentive Program*”, in accordance with Engrossed Substitute Senate Bill No. 5939;

Water Resource Mitigation, Joint Legislative Task Force on – “*Joint Legislative Task Force on Water Resource Mitigation 2019 Report*”, in accordance with Engrossed Substitute Senate Bill No. 6091.

Copies of these reports are available from the Office of the Secretary of Senate.

Sincerely,

/s/

Brad Hendrickson

SECRETARY OF THE SENATE

MESSAGE FROM THE SECRETARY OF STATE

April 18, 2019

Lt. Governor Cyrus Habib
President of the Senate
Legislative Building
Olympia, WA 98504

To the Honorable Members of the Washington State Senate:

We respectfully transmit for your consideration Senate Bill 5503 which was 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 on this 18th Day of April 2019.

/s/

Kim Wyman

Secretary of State

MESSAGE FROM THE GOVERNOR
PARTIAL VETO ON SENATE BILL NO. 5503

April 17, 2019

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 3,
Senate Bill No. 5503 entitled:“AN ACT Relating to state board of health rules regarding
on-site sewage systems.”

I am vetoing Section 3 of this bill. This section is unnecessary and precludes local health jurisdiction staff from conditioning an on-site septic permit once an easement for the system has been granted. The granting of an easement should not eliminate the ability of an inspector to correct problems of a system that they are inspecting. The new section of this bill (Section 2) significantly increases protections for homeowners and provides assurance that on-site inspections will be done properly and fairly.

For these reasons I have vetoed Section 3 of Senate Bill No. 5503.

With the exception of Section 3, Senate Bill No. 5503 is approved.

Respectfully submitted,

/s/

Jay Inslee
Governor

MESSAGE FROM THE SECRETARY OF STATE

April 18, 2019

Lt. Governor Cyrus Habib
President of the Senate
Legislative Building
Olympia, WA 98504

To the Honorable Members of the Washington State Senate:

We respectfully transmit for your consideration Substitute Senate Bill 5710 which was 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 on this 18th Day of April 2019.

/s/

Kim Wyman
Secretary of StateMESSAGE FROM THE GOVERNOR
PARTIAL VETO ON SUBSTITUTE SENATE BILL NO. 5710

April 17, 2019

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 3,
Substitute Senate Bill No. 5710 entitled:“AN ACT Relating to the Cooper Jones active transportation
safety council.”

I am vetoing Section 3, the emergency clause, because it is not necessary. The new council created by the bill has no plans to convene before August 2019. Vetoing Section 3 of the bill in no way diminishes the bill’s overall traffic safety goals.

For these reasons I have vetoed Section 3 of Substitute Senate
Bill No. 5710.With the exception of Section 3, Substitute Senate Bill No.
5710 is approved.

Respectfully submitted,

/s/

Jay Inslee
Governor

MESSAGE FROM THE SECRETARY OF STATE

May 1, 2019

Lt. Governor Cyrus Habib
President of the Senate
Legislative Building
Olympia, WA 98504

To the Honorable Members of the Washington State Senate:

We respectfully transmit for your consideration Senate Bill 5022 which was 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 on this 1st Day of May 2019.

/s/

Kim Wyman
Secretary of StateMESSAGE FROM THE GOVERNOR
PARTIAL VETO ON SENATE BILL NO. 5022

April 30, 2019

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 2,
Senate Bill No. 5022 entitled:“AN ACT Relating to granting binding interest arbitration
rights to certain higher education uniformed personnel.”

This bill establishes interest arbitration for uniformed personnel, which is defined as sworn police officers employed as a member of a police force established by state universities, regional universities, or the Evergreen State College. Section 2 amends current law and exempts such arbitration awards from submission to the Office of Financial Management to be certified as financially feasible. This could result in requiring the governor to include funds necessary to implement the award in his/her budget regardless of whether it was financially feasible.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

Although I support granting interest arbitration to uniformed personnel, it is important to ensure that any award from interest arbitration must be submitted for certification of financial feasibility before being included in the governor's budget proposal. This check and balance on arbitration awards protects the governor's discretion in developing future budget proposals.

For these reasons I have vetoed Section 2 of Senate Bill No. 5022.

With the exception of Section 2, Senate Bill No. 5022 is approved.

Respectfully submitted,
/s/
Jay Inslee
Governor

MESSAGE FROM THE SECRETARY OF STATE

May 13, 2019

Lt. Governor Cyrus Habib
President of the Senate
Legislative Building
Olympia, WA 98504

To the Honorable Members of the Washington State Senate:

We respectfully transmit for your consideration Engrossed Senate Bill 5274 which was 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 on this 13th Day of May 2019.

/s/
Kim Wyman
Secretary of State

MESSAGE FROM THE GOVERNOR
PARTIAL VETO ON ENGROSSED SENATE BILL NO. 5274

May 8, 2019

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 6, Engrossed Senate Bill No. 5274 entitled:

“AN ACT Relating to dental coverage for Pacific islanders residing in Washington.”

I am vetoing section 6 because it is an unnecessary emergency clause. This veto will not disturb the substantive provisions of this bill, but will avoid confusion about the start date of the dental program. The dental program is funded to begin January 1, 2021, and outreach and engagement communications will begin 90 days from today under the normal enactment period of the bill.

For these reasons I have vetoed Section 6 of Engrossed Senate Bill No. 5274.

With the exception of Section 6, Engrossed Senate Bill No. 5274 is approved.

Respectfully submitted,

/s/
Jay Inslee
Governor

MESSAGE FROM THE SECRETARY OF STATE

May 13, 2019

Lt. Governor Cyrus Habib
President of the Senate
Legislative Building
Olympia, WA 98504

To the Honorable Members of the Washington State Senate:

We respectfully transmit for your consideration Senate Bill 5360 which was 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 on this 13th Day of May 2019.

/s/
Kim Wyman
Secretary of State

MESSAGE FROM THE GOVERNOR
PARTIAL VETO ON SENATE BILL NO. 5360

May 8, 2019

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 5, Senate Bill No. 5360 entitled:

“AN ACT Relating to plan membership default provisions in the public employees’ retirement system, the teachers’ retirement system, and the school employees’ retirement system.”

Section 5 of this bill declares an emergency and makes the bill effective immediately. However, the bill as it passed the legislature makes the provisions of the bill effective a year later than the date in the original bill. This change means that the emergency clause is no longer needed.

For these reasons I have vetoed Section 5 of Senate Bill No. 5360.

With the exception of Section 5, Senate Bill No. 5360 is approved.

Respectfully submitted,
/s/
Jay Inslee
Governor

MESSAGE FROM THE SECRETARY OF STATE

May 13, 2019

Lt. Governor Cyrus Habib
President of the Senate
Legislative Building
Olympia, WA 98504

To the Honorable Members of the Washington State Senate:

We respectfully transmit for your consideration Senate Bill 5054 which was 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 on this 13th Day of May 2019.

/s/
Kim Wyman
Secretary of State

MESSAGE FROM THE GOVERNOR
PARTIAL VETO ON SENATE BILL NO. 5054

May 9, 2019

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 4, 5, and 6, Senate Bill No. 5054 entitled:

“AN ACT Relating to increasing the behavioral health workforce by establishing a reciprocity program to increase the portability of behavioral health licenses and certifications.”

Senate Bill 5054 will help out-of-state applicants to more easily and quickly become integrated into

Washington State’s behavioral health workforce. Sections 4, 5 and 6 direct the Department of Health to conduct a study to explore options for adoption of an interstate compact or compacts supporting license portability for certain professionals. I agree with the intended purpose of the bill; however, the final budget did not provide funding for the Department to perform this study and the cost of this work cannot be absorbed.

For these reasons I have vetoed Sections 4, 5, and 6 of Senate Bill No. 5054.

With the exception of Sections 4, 5, and 6, Senate Bill No. 5054 is approved.

Respectfully submitted,

/s/
Jay Inslee
Governor

MESSAGE FROM THE SECRETARY OF STATE

May 28, 2019

Lt. Governor Cyrus Habib
President of the Senate
Legislative Building
Olympia, WA 98504

To the Honorable Members of the Washington State Senate:

We respectfully transmit for your consideration Second Substitute Senate Bill 5274 which was 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 on this 28th Day of May 2019.

/s/
Kim Wyman
Secretary of State

MESSAGE FROM THE GOVERNOR
PARTIAL VETO ON SECOND SUBSTITUTE SENATE BILL
NO. 5287

May 21, 2019

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 3, Second Substitute Senate Bill No. 5287 entitled:

“AN ACT Relating to ensuring accurate redistricting by counting individuals in state custody as residents of their last known place of residence.”

Section 3 is an unnecessary emergency clause. Under the bill, the Department of Children, Youth, and Families; Department of Corrections; and Department of Social and Health Services must perform a residence determination process between April 1 and July 1 of each year ending in zero. Without the emergency clause, this bill will take effect under the standard enactment period, which is well before the first deadline of April 1, 2020. This veto will not disturb the substantive provisions of this bill and will provide the impacted agencies with adequate time to determine the last known place of residence for those persons who are in state custody.

For these reasons I have vetoed Section 3 of Second Substitute Senate Bill No. 5287.

With the exception of Section 3, Second Substitute Senate Bill No. 5287 is approved.

Respectfully submitted,

/s/
Jay Inslee
Governor

MESSAGE FROM THE SECRETARY OF STATE

May 28, 2019

Lt. Governor Cyrus Habib
President of the Senate
Legislative Building
Olympia, WA 98504

To the Honorable Members of the Washington State Senate:

We respectfully transmit for your consideration Second Substitute Senate Bill 5672 which was partially vetoed by the Governor, along with his objection to the bill, as required by Article III, section 12, of the Washington State Constitution.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

May 21, 2019



IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Washington on this 28th Day of May 2019.

/s/
Kim Wyman
Secretary of State

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 15, Engrossed Substitute Senate Bill No. 5418 entitled:

“AN ACT Relating to local government procurement modernization and efficiency.”

Engrossed Substitute Senate Bill 5418 will help improve procurement processes for local governments. Section 15 of the bill amends RCW 87.03.435 relating to irrigation districts. Section 2 of a different bill passed by the Legislature this year, Engrossed Senate Bill 5453, contains the same amendments as well as other changes. Therefore I am vetoing Section 15 of Engrossed Substitute Senate Bill 5418 to avoid these double amendments and any confusion at the Office of the Code Reviser.

I would also note that the Legislature did not provide funding for the Capital Projects Advisory Review Board to review the public works contracting processes for local governments, including the small works roster and limited public works processes as set forth in Section 16. I am directing my Office of Financial Management to work with the Department of Enterprise Services to identify resources so they can begin this important work. In addition, I will be asking the Legislature to include full funding of this study in the 2020 supplemental operating budget.

For these reasons I have vetoed Section 15 of Engrossed Substitute Senate Bill No. 5418.

With the exception of Section 15, Engrossed Substitute Senate Bill No. 5418 is approved.

Respectfully submitted,
/s/
Jay Inslee
Governor

MESSAGE FROM THE GOVERNOR
PARTIAL VETO ON SECOND SUBSTITUTE SENATE BILL
NO. 5672

May 21, 2019

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 6, Second Substitute Senate Bill No. 5672 entitled:

“AN ACT Relating to adult family home specialty services.”

Section 6 contains a null and void clause. The enacted budget references the bill number, but does not provide specific funding. Therefore, the bill might be void if this section is not vetoed. The Department of Social and Health Services agrees that this work is important, so it will begin this work without additional resources.

For these reasons I have vetoed Section 6 of Second Substitute Senate Bill No. 5672.

With the exception of Section 6, Second Substitute Senate Bill No. 5672 is approved.

Respectfully submitted,
/s/
Jay Inslee
Governor

MESSAGE FROM THE SECRETARY OF STATE

May 28, 2019

Lt. Governor Cyrus Habib
President of the Senate
Legislative Building
Olympia, WA 98504

To the Honorable Members of the Washington State Senate:

We respectfully transmit for your consideration Engrossed Substitute Senate Bill No. 5418 which was 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 on this 28th Day of May 2019.

/s/
Kim Wyman
Secretary of State

MESSAGE FROM THE GOVERNOR
VETO ON ENGROSSED SENATE BILL NO. 5573

May 8, 2019

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

Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed Senate Bill No. 5573 entitled:

“AN ACT Relating to domestic violence and traumatic brain injury.”

Sections I and 2 of ESB 5573 are duplicative of sections in SHB 1532. Since SHB 1532 has already been signed into law, there is no need to duplicate those provisions by signing this bill as well. In addition, Section 2 of both ESB 5573 and SHB 1532 will become ineffective as this same section of law is amended in SHB 1225, which amends the statute to move the relevant language to a new statute in Chapter 10.99 RCW. For these reasons, I am vetoing ESB 5573.

The Criminal Justice Training Commission will incorporate the training required in Section I of the bill into the existing domestic violence training conducted at the Basic Law

MESSAGE FROM THE GOVERNOR
PARTIAL VETO ON ENGROSSED SUBSTITUTE
SENATE BILL NO. 5418

Enforcement Academy Training. Additionally, the Washington Association of Sheriffs and Police Chiefs will work with the sponsors of both ESB 5573 and SHB 1532 to draft a letter to their membership encouraging they provide the information suggested by the bill.

For these reasons I have vetoed Engrossed Senate Bill No. 5573 in its entirety.

Respectfully submitted,
/s/
Jay Inslee
Governor

MESSAGE FROM THE GOVERNOR

January 7, 2020

To the Honorable Lt. Governor Cyrus Habib, President of the Senate,
and 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 2019 Regular Session of the 66th Legislature, copies of which are attached.

Sincerely,
/s/
Taylor K. Wonhoff
Deputy General Counsel

FULL AND UNCONDITIONAL PARDON
OF
JEFFREY DEAN ATTWOOD

To All to Whom These Presents Shall Come, Greetings:
WHEREAS, Jeffrey Dean Attwood was found guilty of MARIJUANA POSSESSION in Thurston County District Court, Case No. C00545964, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Jeffrey Dean Attwood this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Thurston County District Court, Case No. C00545964.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th day of January, A.D., two thousand and nineteen.

/s/
Jay Inslee

Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
JAMIE LAMAR BAILEY

To All to Whom These Presents Shall Come, Greetings:
WHEREAS, Jamie Lamar Bailey was found guilty of MARIJUANA POSSESSION in King County Superior Court, Case No. 10-1-08726-1, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Jamie Lamar Bailey this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in King County Superior Court, Case No. 10-1-08726-1.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th day of January, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
LARS SVEN BERG

To All to Whom These Presents Shall Come, Greetings:
WHEREAS, Lars Sven Berg was found guilty of MARIJUANA POSSESSION in Cowlitz County District Court, Case No. C00269859, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Lars Sven Berg this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Cowlitz County District Court, Case No. C00269859.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 24th day of January, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
GERALD RICHARD BOLDEN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Gerald Richard Bolden was found guilty of MARIJUANA POSSESSION in Cowlitz County District Court, Case No. C00564415, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Gerald Richard Bolden this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Cowlitz County District Court, Case No. C00564415.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th day of January, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
SEAN THOMAS BROWNE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Sean Thomas Browne was found guilty of MARIJUANA POSSESSION in Cowlitz County District Court, Case No. XYOI 73163, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Sean Thomas Browne this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Cowlitz County District Court, Case No. XYOI 73163.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th day of January, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
CHRISTOPHER J. BURMAN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Christopher J. Burman was found guilty of MARIJUANA POSSESSION in Pacific County Superior Court, Case No. 09-1-00020-2, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Christopher J. Burman this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Pacific County Superior Court, Case No. 09-1-00020-2.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 24th day of January, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
MICHAEL SEAN CREAN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Michael Sean Crean was found guilty of MARIJUANA POSSESSION in King County District Court, Case No. BCO 143730, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Michael Sean Crean this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in King County District Court, Case No. BC0143730.



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

/s/
Jay Inslee
Governor

/s/

Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
TANEESA DAWN DUNHAM

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Taneesa Dawn Dunham was found guilty of MARIJUANA POSSESSION in Walla Walla Superior Court, Case No. 04-1-00532-6, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Taneesa Dawn Dunham this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Walla Walla Superior Court, Case No. 04-1-00532-6.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th day of January, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/

Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
KYLE LOWELL ENGBERG

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Kyle Lowell Engberg was found guilty of MARIJUANA POSSESSION in Burlington Municipal Court, Case No. BUC009512, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Kyle Lowell Engberg this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Burlington Municipal Court, Case No. BUC009512.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 24th day of January, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/

Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
JEFFREY LYNN EVANS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Jeffrey Lynn Evans was found guilty of MARIJUANA POSSESSION in Douglas County District Court, Case No. CR0009562, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Jeffrey Lynn Evans this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Douglas County District court, Case No. CR0009562.



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

/s/
Jay Inslee
Governor

/s/

Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
MICHAEL JAMES FINLEY

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Michael James Finley was found guilty of MARIJUANA POSSESSION in Bothell Municipal Court, Case No. 8546, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner’s record.

WHEREAS, because of society’s evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Michael James Finley this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Bothell Municipal court, Case No. 8546.



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

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
SETH RUSSELL FRETWELL

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Seth Russell Fretwell was found guilty of MARIJUANA POSSESSION in Lewis County Superior Court, Case No. 11-1-00556-3, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner’s record.

WHEREAS, because of society’s evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Seth Russell Fretwell this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Lewis County Superior Court, Case No. 11-1-00556-3.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 24th day of January, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
THOMAS GERARD GALLWAS, JR.

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Thomas Gerard Gallwas, Jr. was found guilty of MARIJUANA POSSESSION in Pierce County District Court, Case No. XYCOOI 340, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner’s record.

WHEREAS, because of society’s evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Thomas Gerard Gallwas, Jr. this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Pierce County District Court, Case No. XYC001340.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 3rd day of April, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
CHRISTOPHER VERNON GEORGE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Christopher Vernon George was found guilty of MARIJUANA POSSESSION in Whitman County District Court, Case No. P00091144, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner’s record.

WHEREAS, because of society’s evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Christopher Vernon George this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Whitman County District Court, Case No. P00091144.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th day of January, A.D., two thousand and nineteen.

/s/

Jay Inslee
Governor

/s/

Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
RYAN B HAMILTON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Ryan B. Hamilton was found guilty of MARIJUANA POSSESSION in Grant County District Court, Case No. L00127790, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Ryan B. Hamilton this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Grant County District Court, Case No. L00127790.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of March, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/

Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
CODY ALLEN JACOBSON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Cody Allen Jacobson was found guilty of MARIJUANA POSSESSION in Clark County District Court, Case No. 88643, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Cody Allen Jacobson this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Clark County District court, Case No. 88643.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of April, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/

Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
KIERAN JAMES NICHOLAS JACOBSON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Kieran James Nicholas Jacobson was found guilty of MARIJUANA POSSESSION in Snohomish County District Court, Case No. C00042356, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record,

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Kieran James Nicholas Jacobson this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Snohomish County District Court, Case No. C00042356.



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

/s/
Jay Inslee
Governor

/s/

Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
DANIEL LEE KALLEM

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Daniel Lee Kalem was found guilty of MARIJUANA POSSESSION in Clark County District Court, Case No. 612518, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Daniel Lee Kallem this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Clark County District Court, Case No. 612518.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th day of January, A.D., two thousand and nineteen.
/s/
Jay Inslee
Governor



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 14th day of February, A.D., two thousand and nineteen.
/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
BENJAMIN JACK KENDRICK

FULL AND UNCONDITIONAL PARDON
OF
MATTHEW JAMES KURLE

To All to Whom These Presents Shall Come, Greetings:
WHEREAS, Benjamin Jack Kendrick was found guilty of MARIJUANA POSSESSION in Cowlitz County District Court, Case No. C00610985, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Benjamin Jack Kendrick this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Cowlitz County District Court, Case No. C00610985.

To All to Whom These Presents Shall Come, Greetings:
WHEREAS, Matthew James Kurie was found guilty of MARIJUANA POSSESSION in Cowlitz County District Court, Case No. C00835209, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Matthew James Kurle this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Cowlitz County District court, Case No. C00835209.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th day of January, A.D., two thousand and nineteen.
/s/
Jay Inslee
Governor



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 24th day of April, A.D., two thousand and nineteen.
/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
DANIEL W. KIFLU

FULL AND UNCONDITIONAL PARDON
OF
CORY MICHAEL LEDGERWOOD

To All to Whom These Presents Shall Come, Greetings:
WHEREAS, Daniel W. Kiflu was found guilty of MARIJUANA POSSESSION in Lower Kittitas District Court, Case No. 25683, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

To All to Whom These Presents Shall Come, Greetings:
WHEREAS, Cory Michael Ledgerwood was found guilty of MARIJUANA POSSESSION in Clark County District Court, Case No. 54169, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Cory Michael Ledgerwood this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Clark County District Court, Case No. 54169.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 21st day of March, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
LAWRENCE TASH ORMAN

To All to Whom These Presents Shall Come, Greetings:
WHEREAS, Lawrence Tash Oman was found guilty of MARIJUANA POSSESSION in Benton County Superior Court, Case No. 07-1-00583-1, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Lawrence Tash Orman this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Benton County Superior Court, Case No. 07-1-00583-1.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 12th day of March, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
DAVID HARRY PRITCHARD

To All to Whom These Presents Shall Come, Greetings:
WHEREAS, David Harry Pritchard was found guilty of MARIJUANA POSSESSION in Pierce County Superior Court, Case No. 09-1-03087-3, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to David Harry Pritchard this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Pierce County Superior court, Case No. 09-1-03087-3.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 3rd day of September, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
NADYAH FAHAD QUAIZ

To All to Whom These Presents Shall Come, Greetings:
WHEREAS, Nadyah Fahad Quaiz was found guilty of MARIJUANA POSSESSION in Clark County District Court, Case No. 85126, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Nadyah Fahad Quaiz this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Clark County District Court, Case No. 85126.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th day of January, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON OF CHRISTOPHER LOUIS TILZER

To All to Whom These Presents Shall Come, Greetings: WHEREAS, Christopher Louis Tilzer was found guilty of MARIJUANA POSSESSION in King County District Court, Case No. BC0143431, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Christopher Louis Tilzer this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in King County District court, Case No. BC0143431.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 24th day of January, A.D., two thousand and nineteen.



/s/ Jay Inslee Governor

/s/ Mark Neary Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON OF ARIEL EVELYN WHITE-LEBLANC

To All to Whom These Presents Shall Come, Greetings: WHEREAS, Ariel Evelyn Wffte-LeBlanc was found guilty of MARIJUANA POSSESSION in Whatcom County Superior Court, Case No. 09-1-00530-6, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Ariel Evelyn White-LeBlanc this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Whatcom County Superior court, Case No. 09-100530-6.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 3rd day of April, A.D., two thousand and nineteen.



/s/ Jay Inslee

Governor

/s/ Mark Neary Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON OF JOSEPH JACOB WOLF

To All to Whom These Presents Shall Come, Greetings: WHEREAS, Joseph Jacob Wolf was found guilty of MARIJUANA POSSESSION in Spokane County District Court, Case No. C00400917, a misdemeanor offense.

WHEREAS, in November 2012, Washington voters passed Initiative 502, which legalized the possession of small amounts of marijuana for personal recreational use for adults.

WHEREAS, this is the only criminal conviction on the petitioner's record.

WHEREAS, because of society's evolving views of adult marijuana use and the ongoing burden this conviction places on the petitioner, I have determined that the best interests of justice will be served by this action, as part of my Marijuana Justice Initiative.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Joseph Jacob Wolf this pardon for the misdemeanor conviction of MARIJUANA POSSESSION, in Spokane County District court, Case No. C00400917.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 3rd day of April, A.D., two thousand and nineteen.



/s/ Jay Inslee Governor

/s/ Mark Neary Assistant Secretary of State

CONDITIONAL COMMUTATION OF JAMES ALLEN WARD

To All to Whom These Presents Shall Come, Greetings: WHEREAS, in 2001, James Allen Ward pleaded guilty to FIRST DEGREE ROBBERY in Pierce County Superior Court Cause No. 00-1-04773-0. The conviction followed events in which Mr. Ward entered several small businesses, and displayed a weapon or threatened to use a weapon in order to steal cash.

WHEREAS, these convictions followed other earlier serious felony convictions, resulting in Mr. Ward being sentenced to life in prison without the possibility of parole under Washington's persistent offender statute.

WHEREAS, Mr. Ward has served over 18 years in prison for this offense. But for his status as a persistent offender, he would have been released from prison several years ago.

WHEREAS, Mr. Ward's criminal history was largely a result of his addiction to cocaine. Through the entirety of his incarceration, Mr. Ward has maintained his sobriety, never failing a drug test.

WHEREAS, in March 2019, the Clemency and Pardons Board reviewed Mr. Ward's clemency petition. The testimony before the Board was that Mr. Ward has shown remorse for his past conduct, and he has a strong family support network,

including his wife, prepared to assist him in any eventual transition to the community. Testimony also demonstrated that Mr. Ward is sincerely committed to maintaining his sobriety, and he has secured multiple offers of employment once he is released to the community.

WHEREAS, the Pierce County Prosecuting Attorney supports Mr. Ward's petition.

WHEREAS, in 2019, Washington State passed into law SB 5288, which removes second degree robbery from the list of offenses that can qualify an individual as a persistent offender. But this new law only applies prospectively, not retroactively. Consequently, because at least one of Mr. Ward's strike offenses is a second degree robbery, were he convicted for his present offense today, he would not qualify as a persistent offender and thus not face a life sentence on the current offense.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the

Governor commute Mr. Ward's sentence. In making this recommendation, the Board cited Mr. Ward's ongoing sobriety, his strong family and community support network, and his multiple offers for employment upon release.

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 James Allen Ward's 2001 sentence for FIRST DEGREE

ROBBERY in Pierce County Superior Court Cause No. 00-1-04773-0, conditioned on his written agreement to comply with all terms outlined by DOC in an in-custody transition plan, to be completed no later than May 1, 2021. While in custody, N'fr. Ward must successfully complete a DOC-approved six-month work-release program. If Mr. Ward satisfies all phases of his in-custody transition plan by May 1, 2021, DOC shall have the authority to release him after first completing all appropriate statutory notifications. He will then begin serving 36 months of DOC community supervision. During this period in custody and under community supervision, Mr. Ward must comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

Mr. Ward shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Comply with all applicable judgment and sentence orders.
3. Be available for contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, personal property, electronic devices, or social media accounts.
4. Obtain employment or enroll in productive educational, vocational, or other programming, as approved by DOC.
5. Reside in DOC-approved housing, and obtain DOC approval before changing residences or taking overnight visits away from the DOC-approved residence, even if just for one night.
6. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a given geographical area as directed by DOC.
7. Not operate a motor vehicle without a valid driver's license and registration.

8. Not possess firearms, ammunition, explosives, or dangerous weapons as determined by DOC.
9. Not possess burglary tools, other than tools used for legitimate work purposes, as determined by DOC.
10. Complete a DOC-approved mental health evaluation and follow any recommendations, as directed by DOC.
11. Complete a chemical dependency assessment and complete any treatment recommendations, as directed by DOC.
12. Not possess in the home, or use, alcohol or controlled substances, including medications or marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
13. Do not possess chemicals which one could reasonably believe may be used to make illicit drugs, as determined by DOC.
14. Not visit or work in bars, taverns, or other establishments in which alcohol or marijuana is the primary commodity being sold, unless approved by DOC.
15. Attend regular community addiction support programming, as directed by DOC.
16. Be subject to regular drug and alcohol testing as directed by DOC.
17. Report to periodic polygraph testing as part of supervision compliance monitoring, as determined by DOC.
18. Not associate with or make contact with known criminal felons, gang members, drug dealers, or individuals on active community supervision or in prison unless approved by DOC.
19. Report to DOC all law enforcement contacts within 24 hours of occurrence.
20. Complete the Thinking for a Change program during the first 90 days on community supervision.

PROVIDED, that Mr. Ward shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Ward is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Ward to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants of detain Mr. Ward if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Ward violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Ward will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violation and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Ward has provided to the Office of the Governor or, if Mr. Ward is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Ward submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Ward 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

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

and conclusive determination on whether Mr. Ward has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. ward 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, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Ward will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Ward 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. Ward may abscond if not detained. If detained, Mr. Ward 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 this 17th day of December, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor



/s/
Mark Neary
Assistant Secretary of State

CONDITIONAL COMMUTATION
OF
PRENTERS BROUGHTON III

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2000, a jury found Prenters Broughton III guilty of FIRST DEGREE ROBBERY in Pierce County Superior Court Cause No. 00-1-00828-9. The conviction followed events in which Mr. Broughton entered a Tacoma art store and threatened to shoot the cashier with a firearm before stealing over \$200 in cash.

WHEREAS, these convictions followed other earlier serious felony convictions, resulting in Mr. Broughton being sentenced to life in prison without the possibility of parole under Washington’s persistent offender statute.

WHEREAS, Mr. Broughton has served over 19 years in prison for this offense. But for his status as a persistent offender, he would have been released from prison several years ago.

WHEREAS, Mr. Broughton’s criminal history was largely a result of his addiction to controlled substances. He has been sober for the last ten years, and he has not had a serious prison infraction in over a decade.

WHEREAS, in March 2019, the Clemency and Pardons Board reviewed Mr. Broughton’s clemency petition. The testimony before the Board was that Mr. Broughton has shown remorse for his past conduct, and he enjoys a strong family support network. On release he plans to live with and support his mother, and he claims to have friends prepared to provide him employment opportunities. Testimony also demonstrated that Mr. Broughton is sincerely committed to maintaining his sobriety as an active participant in addiction support groups.

WHEREAS, the Pierce County Prosecuting Attorney supports Mr. Broughton’s petition.

WHEREAS, in 2019, Washington State passed into law SB 5288, which removes second degree robbery from the list of offenses that can qualify an individual as a persistent offender. But this new law only applies prospectively, not retroactively. Consequently, because at least one of Mr. Broughton’s strike offenses is a second degree robbery, were he convicted for his present offense today, he would not qualify as a persistent offender and thus not face a life sentence on the current offense.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Broughton’s sentence. In making this recommendation, the Board cited Mr. Broughton’s ongoing sobriety, his strong family and community support network, and his multiple options for employment upon release.

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 Prenters Broughton III’s sentence for FIRST DEGREE ROBBERY in Pierce County Superior Court Cause No. 00-1-00828-9, conditioned on his written agreement to comply with all terms outlined by DOC in an in-custody transition plan, to be completed no later than May 1, 2021. While in custody, Mr. Broughton must successfully complete a DOC-approved six-month work-release program. If Mr. Broughton satisfies all phases of his in-custody transition plan by May 1, 2021,

DOC shall have the authority to release him after first completing all appropriate statutory notifications. He will then begin serving 36 months of DOC community supervision. During this period in custody and under community supervision, Mr. Broughton must comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

Mr. Broughton shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Comply with all applicable judgment and sentence orders.
3. Be available for contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, personal property, electronic devices, or social media accounts.
4. Obtain employment or enroll in productive educational, vocational, or other programming, as approved by DOC.
5. Reside in DOC-approved housing, and obtain DOC approval before changing residences or taking overnight visits away from the DOC-approved residence, even if just for one night.
6. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a given geographical area as directed by DOC.
7. Not operate a motor vehicle without a valid driver’s license and registration.
8. Not possess firearms, ammunition, explosives, or dangerous weapons as determined by DOC.
9. Complete a chemical dependency assessment and complete any treatment recommendations, as directed by

DOC.

10. Not possess in the home, or use, alcohol or controlled substances, including medications or marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
11. Do not possess chemicals which one could reasonably believe may be used to make illicit drugs, as determined by DOC.
12. Not visit or work in bars, taverns, or other establishments in which alcohol or marijuana is the primary commodity being sold, unless approved by DOC.
13. Attend regular addiction support programming, as directed by DOC.
14. Be subject to regular drug and alcohol testing as directed by DOC.
15. Be subject to periodic polygraph testing as part of supervision compliance monitoring, as determined by DOC.
16. Not associate with or make contact with known criminal felons, gang members, drug dealers, or individuals on active community supervision or in prison unless approved by DOC.
17. Report to DOC all law enforcement contacts within 24 hours of occurrence.

PROVIDED, that Mr. Broughton shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Broughton is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Broughton to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Broughton if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Broughton violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Broughton will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violation and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Broughton has provided to the Office of the Governor or, if Mr. Broughton is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Broughton submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Broughton 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 determination on whether Mr. Broughton has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Broughton 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, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Broughton will be immediately

returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Broughton 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. Broughton may abscond if not detained. If detained, Mr. Broughton 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.



/s/

Mark Neary
Assistant Secretary of State

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

/s/

Jay Inslee
Governor

CONDITIONAL COMMUTATION OF DANIEL EUGENE ANDERSON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1995, a jury found Daniel Eugene Anderson guilty of two counts of FIRST DEGREE ROBBERY in King County Superior Court Cause No. 94-1-5565-4. The convictions followed events in which Mr. Anderson entered business establishments with a handgun and demanded money from cashiers that he then used to fund a heroin addiction.

WHEREAS, these convictions followed other earlier serious felony convictions, resulting in Mr. Anderson being sentenced to life in prison without the possibility of parole under Washington's persistent offender statute.

WHEREAS, Mr. Anderson has served over 24 years in prison for these crimes. But for his status as a persistent offender, he would have been released from prison over a decade ago.

WHEREAS, in March 2019, the Clemency and Pardons Board reviewed Mr. Anderson's clemency petition. The testimony before the Board was that Mr. Anderson has shown remorse for his past conduct, and he has a strong support network prepared to assist him in any eventual transition to the community. Testimony also demonstrated that Mr. Anderson achieved sobriety 11 years ago, and he has shown a committed work ethic and dedication to self-improvement while in prison.

WHEREAS, the King County Prosecuting Attorney supports Mr. Anderson's petition.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Anderson's sentence. In making this recommendation, the Board cited Mr. Anderson's strong family and community support network, and their ability to help him with shelter, employment, and emotional support. It also cited the support from the King County Prosecuting Attorney's Office.

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

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

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 Daniel Eugene Anderson's 1995 sentence for two counts of FIRST DEGREE ROBBERY in King County Superior Court Cause No. 94-1-5565-4, conditioned on his written agreement to comply with all terms outlined by DOC in an in-custody transition plan, to be completed no later than April 1, 2021. While in custody, Mr. Anderson must successfully complete a DOC-approved six-month work-release program. If Mr. Anderson satisfies all phases of his in-custody transition plan by April 1, 2021, DOC shall have the authority to release him after first completing all appropriate statutory notifications. He will then begin serving 36 months of DOC community supervision. During this period in custody and under community supervision, Mr. Anderson must comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

Mr. Anderson shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Comply with all applicable judgment and sentence orders.
3. Be available for contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, personal property, electronic devices, or social media accounts.
4. Obtain DOC-approved employment or enroll in DOC-approved educational, vocational, or other programming, and report it to DOC along with changes in status.
5. Reside in DOC-approved housing, and obtain DOC permission before changing residences or taking overnight visits away from the DOC-approved residence, even if just for one night.
6. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a given geographical area as directed by DOC.
7. Not operate a motor vehicle without a valid driver's license and registration.
8. Not possess firearms, ammunition, explosives, or dangerous weapons as determined by DOC.
9. Complete a chemical dependency assessment and complete any treatment recommendations, as directed by DOC.
10. Not possess in the home, or use, alcohol or controlled substances, including medications or marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
11. Do not possess chemicals which one could reasonably believe may be used to make illicit drugs, as determined by DOC.
12. Not visit bars, taverns, or other establishments in which alcohol or marijuana is the primary commodity being sold, unless approved by DOC.
13. Attend regular community Narcotics Anonymous programming, as instructed by DOC.
14. Be subject to regular drug and alcohol testing as directed by DOC.
15. Not associate with known criminal felons or gang members, unless approved by DOC.
16. Have no contact with known drug dealers, or individuals on active community supervision or in prison unless

approved by DOC.

17. Report to DOC all law enforcement contacts within 24 hours of occurrence.
18. Complete the Bridges to Life program before transitioning to work release; he must also complete the Thinking for a Change program during the first 90 days on community supervision.

PROVIDED, that Mr. Anderson shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Anderson is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Anderson to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Anderson if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Anderson violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Anderson will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Anderson has provided to the Office of the Governor or, if Mr. Anderson is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Anderson submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Anderson 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 determination on whether Mr. Anderson has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Anderson 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, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Anderson will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Anderson 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. Anderson may abscond if not detained. If detained, Mr. Anderson 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 this 25th day of October, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

AMENDED CONDITIONAL COMMUTATION
OF
RICHARD ROBERT KENT

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, after a trial, Richard Robert Kent was found guilty of SECOND DEGREE ROBBERY in Whatcom County Superior Court Cause No. 96-1-960-4. The conviction followed events in 1996 when, while wearing a mask, Mr. Kent approached two tellers in a credit union, and demanded cash.

WHEREAS, this conviction followed two earlier robbery convictions, resulting in Mr. Kent being sentenced to life in prison without the possibility of parole under Washington's persistent offender statute.

WHEREAS, Mr. Kent served over 20 years on this conviction. Had he not been sentenced as a persistent offender, his maximum sentence would have been 10 years.

WHEREAS, Mr. Kent is now 65 years old and is experiencing significant health problems.

WHEREAS, in June 2017, the Clemency and Pardons Board reviewed Mr. Kent's clemency petition. There was no opposition to his petition from the Whatcom County Prosecuting Attorney's Office or any of his victims.

WHEREAS, in the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Kent's sentence.

WHEREAS, Mr. Kent received a Conditional Commutation on December 5, 2017. That order conditioned Mr. Kent's release on his compliance with several conditions, including his abstaining from using or possessing any controlled substances without a valid prescription and approval by the Department of Corrections.

WHEREAS, in June 2019, while on community supervision, Mr. Kent tested positive for methamphetamines, a violation of the terms of his Conditional Commutation that could result in the revocation of his Conditional Commutation.

WHEREAS, despite violating the terms of his Conditional Commutation, Mr. Kent enjoys a strong support network that has pledged to continue to help him transition to the community. 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 under Article III Section 9 of the Washington State Constitution, RCW 9.94A.885 and RCW 9.95.260, hereby amend Richard Robert Kent's 2017 Conditional Commutation. Under these amended terms, following any statutorily required notifications, and as soon as program space is available for him, DOC shall release Mr. Kent to begin intensive outpatient services with Pioneer Human Services. And upon his release from custody, Mr. Kent shall also

begin serving a 36month term of DOC community supervision. During this period under community supervision, Mr. Kent must comply with any conditions set forth by DOC and its corrections officers. These conditions shall include, but not be limited to the following:

Mr. Kent shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Enroll in, and successfully complete DOC's Thinking for a Change program, as well as any other programming or treatment as directed by DOC.
3. Be available for contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, or personal property.
4. Obtain DOC-approved employment or enroll in DOC-approved educational programming, and report it to DOC.
5. Reside in DOC-approved housing, and obtain DOC permission before changing residences or taking overnight visits away from his DOC-approved residence, even if just for one night.
6. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a geographical area as directed by DOC.
7. Not possess firearms, ammunition, explosives, or dangerous weapons.
8. Not operate a motor vehicle without a valid driver's license and proper insurance.
9. Complete a chemical dependency and substance abuse treatment assessment and follow DOC recommendations relating to substance abuse counseling.
10. Not possess or use alcohol or any controlled substances, including marijuana, without a valid physician's prescription and DOC approval.
11. Not visit bars, taverns, or other establishments in which alcohol is the primary commodity being sold, unless approved by DOC.
12. Be subject to regular drug and alcohol testing as directed by DOC.
13. Not possess stolen property or unauthorized tools not associated with approved work, as determined by DOC.
14. Report to DOC all law enforcement contacts within 24 hours of occurrence.

PROVIDED, that Mr. Kent shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Amended Conditional Commutation as provided below. If Mr. Kent is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Kent to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Kent if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Kent violates any of the conditions of this Amended Conditional Commutation, as determined by the Governor, this Amended Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Kent will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Amended Conditional Commutation may then be mailed to the most recent address Mr.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

Kent has provided to the Office of the Governor or, if Mr. Kent is in custody, to his place detention. If within 14 calendar days of the mailing of the notice, Mr. Kent submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Amended Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Kent an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Amended 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 determination on whether Mr. Kent has violated the terms of this Amended Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Kent 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, this Amended Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Kent will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Kent may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Amended Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Amended 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. Kent may abscond if not detained. If detained, Mr. Kent 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 this 6th day of November, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
TRAVIS MICHAEL BASSETT

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1999 and 2000, Travis Michael Bassett pleaded guilty to FIRST DEGREE ROBBERY and FIRST DEGREE VEHICLE PROWLING in Spokane County Superior Court, Cause Nos. 99-1-2085-6 and 00-1-1170-0. The robbery conviction occurred after Mr. Bassett, then 17 years old, broke into a woman's home with another teenager, hit the victim and stole several thousands of dollars' worth of her possessions. The vehicle prowling conviction came after Mr. Bassett broke into a motor home and stole several items from inside.

WHEREAS, Mr. Bassett accepts responsibility for his behavior as a teenager, and he has satisfied all the conditions of his judgment and sentence, including paying off over \$37,000 in victim restitution and other legal financial obligations.

WHEREAS, Mr. Bassett has committed no other felonies since these two convictions. After serving his sentence, Mr. Bassett joined the Washington Army National Guard. In this role

he twice deployed to Iraq, and he has been promoted to serve in leadership positions within the National Guard.

WHEREAS, in March 2019, the Clemency and Pardons Board reviewed Mr. Bassett's petition for a pardon. At his hearing, Mr. Bassett testified that these convictions on his record preclude him from consideration for further promotion to certain professional leadership opportunities within the National Guard.

WHEREAS, at his hearing, Mr. Bassett also testified that in 2008 he married his wife, and together, they have purchased a home and started a family.

WHEREAS, the Spokane County Prosecuting Attorney supports Mr. Bassett's petition for a pardon.

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

WHEREAS, at the time of his crime, Mr. Bassett was just 17 years old. The scientific and criminal justice communities have documented the difficulty the juvenile brain has in engaging in behavior control, often leading juveniles to exhibit a transient rashness, proclivity for risk, and inability to assess the full consequences of their actions. 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 Travis Michael Bassett this FULL AND UNCONDITIONAL PARDON for his FIRST DEGREE ROBBERY and FIRST DEGREE VEHICLE PROWLING convictions in Spokane County Superior Court, Cause Nos. 99-1-2085-6 and 00-1-1 170-0.



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

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

SECOND AMENDED 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, after a bench trial, on five counts of Second Degree Robbery in King County Superior Court Cause Number 97-1-00657-7 and sentenced to a life in prison under Washington's persistent offender statute. Over the course of a month in 1996 and 1997, Mr. Wharton approached clerks in stores and banks and demanded money. He often held his hand in his pocket to suggest that he had a gun.

WHEREAS, Mr. Wharton received his first and second strikes after similar robberies in which he entered stores and confronted clerks, suggested he was carrying a firearm, and then ordering the clerk to provide him money.

WHEREAS, Mr. Wharton unequivocally accepted responsibility and expressed remorse for his past crimes and

apologized for his actions to his victims, his family, and the state of Washington.

WHEREAS, at the time of his conviction, the standard range for Mr. Wharton's offense was 33 to 43 months. The maximum sentence for Second Degree Robbery in the state of Washington, without the three strikes law, is 84 months.

WHEREAS, in December 2012, Mr. Wharton's petition for clemency, in which he was seeking a commutation, was heard by the Clemency & Pardons Board.

WHEREAS, the testimony before the Board was that Mr. Wharton had shown considerable rehabilitation while incarcerated. He participated in programming to improve his life skills, enhance his education, and remain free from substance abuse.

WHEREAS, King County Prosecutor Daniel Satterberg reviewed Mr. Wharton's clemency petition, and supported his petition. Also supporting Mr. Wharton's petition was the sentencing judge on his "third strike" offense, retired Judge Michael J. Fox, who was so unsettled by having to direct such a sentence in the case of a non-violent offender, that he encouraged Mr. Wharton seek a commutation.

WHEREAS, following his hearing, the Clemency Board unanimously recommended that the governor commute Mr. Wharton's sentence.

WHEREAS, on July 30, 2013, I commuted Mr. Wharton's sentence, contingent on a series of terms to which Mr. Wharton agreed, including refraining from drug and alcohol use, participating in a residential treatment program, and regularly reporting with his community corrections officer for urinalysis testing. In October 2013, however, Mr. Wharton left his residential substance treatment program without permission and was later found to have violated the terms of his community custody multiple times.

WHEREAS, following the findings that Mr. Wharton violated the terms of his July 30, 2013, Conditional Commutation, I revoked Mr. Wharton's Conditional Commutation on February 19, 2014.

WHEREAS, in the years following the revocation of Mr. Wharton's Conditional Commutation, he continued to show personal growth and maturity, and on July 6, 2017, I amended his Conditional Commutation to allow him another chance to transition to the community.

WHEREAS, after several months in the community following his re-release, Mr. Wharton again was found to have violated the terms of his Amended Conditional Commutation, this time when he was found to have used illicit drugs.

WHEREAS, despite again violating the terms of his Amended Conditional Commutation, Mr. Wharton still enjoys the support of King County Prosecutor Daniel Satterberg and his sentencing Judge Michael J. Fox, who would both like to see Mr. Wharton receive another chance to successfully transition to the community.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington under Article III Section 9 of the Washington State Constitution, RCW 9.94A.885 and RCW 9.95.260, hereby amend Joseph Scott Wharton's 2017 Amended Conditional Commutation. Under these amended terms, following statutorily required notifications, and as soon as space is available for him, Mr. Wharton shall be released to Pioneer Center North for an inpatient substance abuse treatment program of at least 30 days. And upon his release from custody, Mr. Wharton shall also begin serving a 36-month term of DOC community supervision.

During this period of community supervision, Mr. Wharton shall:

1. Participate in a substance abuse and/or chemical

dependency evaluation as directed by DOC and complete any recommendations that follow;

2. Participate in any residential drug or alcohol treatment programs, as directed by DOC;
3. Participate in chemical dependency and substance abuse support groups when not in residential treatment, as directed by DOC;
4. Not use, possess, or consume alcohol or other controlled substances, unless taken under medical supervision;
5. Submit to regular and random urinalysis and breathalyzer testing, as directed by DOC;
6. Report to and be available to regularly meet with a DOC officers as directed by DOC;
7. Be subject to regular home/employment visits, and be subject to home, automobile and personal property searches;
8. Not associate with drug users or dealers, and avoid taverns, bars, and other sites where alcohol or drugs are the primary commodity sold, as directed by DOC;
9. Not possess, receive, ship, or transport a firearm, ammunition, or explosives;
10. Comply with the terms of any applicable judgment and sentence orders;
11. Participate in DOC-approved education, training, employment and employment training, and/or community service programs;
12. Receive prior approval from DOC for any employment changes or changes in living arrangements or residence;
13. Allow DOC to conduct such home visits as DOC deems appropriate;
14. Not travel beyond the county of residence, unless approved in writing by DOC;
15. Have no direct contact with any victims or their families, unless approved by DOC;
16. Report to DOC any contact with law enforcement within 24 hours of the occurrence;
17. Enroll in and successfully complete the Thinking for a Change program, or similar program, as approved by DOC; and
18. Obey all laws and comply with all conditions, recommendations, orders, and instructions of community placement as directed orally or in writing by DOC.

PROVIDED that Mr. Wharton shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Second Amended Conditional Commutation as provided below. If Mr. Wharton is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Wharton to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Wharton if he violates a condition.

ADDITIONALLY PROVIDED that in the event Mr. Wharton violates any of the conditions of this Second Amended Conditional Commutation, as determined by the Governor, this Second Amended Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Wharton will be immediately returned to the Washington Corrections Center or any such facility as the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Second Amended Conditional Commutation will then be mailed to the most recent address Mr. Wharton has provided to the Office of the Governor or, if Mr.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

Wharton is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Wharton submits a sworn statement made under penalty of perjury that he has in fact complied with all conditions of this Second Amended Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Wharton an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Second Amended 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 determination on whether Mr. Wharton has violated the conditions of this Second Amended Conditional Commutation.

ADDITIONALLY PROVIDED that in the event Mr. Wharton 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, this Second Amended Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Wharton will be immediately returned to the Washington Corrections Center or any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED that Mr. Wharton may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Second Amended Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Second Amended 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. Wharton may abscond if not detained. If detained, Mr. Wharton 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 this 27th day of September, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

CONDITIONAL COMMUTATION
OF
EUSTACE RUDOLPH JENNINGS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1999, a jury found Eustace Rudolph Jennings guilty of four counts of FIRST DEGREE ROBBERY and two counts of SECOND DEGREE ROBBERY in Pierce County Superior Court Cause No. 98-1-03607-1. The convictions followed events in which Jennings entered a series of establishments, confronted employees—leaving them with the impression he was armed—and demanded money. He never physically harmed any victims.

WHEREAS, these conviction followed other convictions, resulting in Mr. Jennings being sentenced to life in prison without the possibility of parole under Washington’s persistent offender statute.

WHEREAS, over the term of his sentence, Mr. Jennings has been a model prisoner, with just one infraction on his prison record. He has been infraction-free for the last thirteen years.

WHEREAS, in December 2018, the Clemency and Pardons Board reviewed Mr. Jennings’ clemency petition. The testimony before the Board was that Mr. Jennings’ lengthy criminal record was linked to substance abuse. He achieved sobriety twenty years ago, having committed himself to Narcotics Anonymous and Alcoholics Anonymous programs.

WHEREAS, Mr. Jennings faces deportation to his native Turks and Caicos. There, he has a support network of family, who has agreed to house and employ him, should he be released from custody here in Washington.

WHEREAS, the Pierce County Prosecutor does not object to Mr. Jennings’ petition.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Jennings’ sentence. In making this recommendation, the Board cited his outstanding prison record, his classification as a low-risk to reoffend, and his strong familial support network in Turks and Caicos.

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 the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Eustace Rudolph Jennings’ 1999 sentence for four counts of FIRST DEGREE ROBBERY and two counts of SECOND DEGREE ROBBERY in Pierce County Superior Court Cause No. 98-1-03607-1, conditioned on his written agreement to comply with all terms outlined by DOC in an in-custody transition plan, to be completed no later than February 1, 2020. If Mr. Jennings satisfies all phases of his in-custody transition plan by February 1, 2020, DOC shall have the authority to release him to federal authorities on the active immigration detainer relating to his removal order to Turks and Caicos. If, before being deported, federal authorities release Mr. Jennings in Washington, he will then begin serving DOC community supervision for 36 months or until he is deported, whichever comes first. During this period in DOC custody and under DOC community supervision, Mr. Jennings must comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

Mr. Jennings shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Be available for contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, personal property, electronic devices, or social media accounts.
3. Obtain DOC-approved employment or enroll in DOC-approved educational or vocational programming, and report it to DOC along with changes in status within 24 hours of that change.
4. Obtain and complete any recommended treatments as determined by DOC after completion of any in-custody assessments.
5. Reside in DOC-approved housing, and obtain DOC permission before changing residences or taking overnight visits away from the DOC-approved residence,

even if just for one night.

6. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a given geographical area as directed by DOC.
7. Be subject to DOC curfews.
8. Comply with all applicable judgment and sentence orders.
9. Not operate a motor vehicle without a valid driver's license and registration.
10. Not possess firearms, ammunition, explosives, or dangerous weapons as determined by DOC.
11. Not possess tools other than those approved by DOC.
12. Not possess in the home, or use, alcohol or controlled substances, including marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
13. Not visit bars, taverns, or other establishments in which alcohol is the primary commodity being sold, unless approved by DOC.
14. Be subject to regular drug and alcohol testing as directed by DOC.
15. Be subject to polygraph testing as determined by DOC.
16. Report to DOC all law enforcement contacts within 24 hours of occurrence.
17. Not associate with known criminal felons or gang members without DOC approval.

PROVIDED, that Mr. Jennings shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Jennings is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Jennings to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Jennings if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Jennings violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Jennings will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Jennings has provided to the Office of the Governor or, if Mr. Jennings is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Jennings submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Jennings 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 determination on whether Mr. Jennings has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Jennings 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, this Conditional Commutation may be revoked immediately and the

sentence of the court reinstated, whereupon Mr. Jennings will be returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Jennings 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. Jennings may abscond if not detained. If detained, Mr. Jennings 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 this 8th day of August, A.D., two thousand and nineteen.

/s/

Jay Insee
Governor

/s/

Mark Neary
Assistant Secretary of State

AMENDED CONDITIONAL COMMUTATION OF TRACY HOGGATT

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1996, Tracy Lynn Hoggatt was found guilty of FIRST DEGREE BURGLARY and BAIL JUMPING in Cowlitz County Superior Court Cause Nos. 951-00539-7 and 96-1-00036-9. In 1995, Mr. Hoggatt, while armed, broke into a victim's home to steal their property when they were out of the house.

WHEREAS, this burglary conviction was Mr. Hoggatt's "Third Strike" offense under Washington's persistent offender statute, and he was sentenced to life without the possibility of parole.

WHEREAS, Mr. Hoggatt accepts full responsibility for his past criminal conduct and expresses remorse. While in prison, he has taken steps to turn his life around and developed a strong sense of empathy. He has completed numerous personal development programs.

WHEREAS, in March 2016, the Clemency and Pardons Board reviewed Mr. Hoggatt's clemency petition, which included several letters of support from friends, family, and supporters in the community.

WHEREAS, the Cowlitz County Prosecuting Attorney expressed no opposition to

Mr. Hoggatt's petition. And the victims did not express any opposition to the petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor commute Mr. Hoggatt's sentence. He received a Conditional Commutation in January 2017.

WHEREAS, in October 2018, following that Conditional Commutation and while on community supervision, Mr. Hoggatt violated the terms of his Conditional Commutation when he associated with known criminals, failed to reside at an approved residence, and possessed and consumed alcohol. And

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

FIRST DAY, JANUARY 13, 2020

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, AMEND the January 16, 2017, CONDITIONAL COMMUTATION of Tracy Lynn Hoggatt's sentence for his 1996 convictions for FIRST DEGREE BURGLARY and BAIL JUMPING in Cowlitz County Superior Court Cause Nos. 95-1-00539-7 and 96-1-00036-9, conditioned on his written agreement to comply with all terms outlined by the DOC in a transition plan in which Mr. Hoggatt will be released from custody to enter and complete a program with Mountain Ministries, or a similar program as deemed appropriate by DOC. He must complete any DOC-recommended programs aimed at preparing him for a successful reentry to the community, including chemical dependency treatment. Upon release from custody, Mr. Hoggatt shall serve 24 months of DOC community supervision. During this period of supervision, Mr. Hoggatt must comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

Mr. Hoggatt shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC or his CCO.
2. Complete a treatment assessment and follow recommendations resulting from that assessment.
3. Be available for regular contact with DOC and his assigned CCO as directed, and consent to DOC home visits and or searches, to include searches of his person or automobiles. These visits must include access for visual inspection of all areas of the residence in which Mr. Hoggatt has exclusive or joint control or access.
4. Enroll in educational programming or obtain legal, verifiable CCO-approved employment.
5. Obtain permission from his CCO before changing residences, even for one night.
6. Not travel outside of his county of residence without prior written approval from his CCO.
7. Not own, possess, receive, ship, or transport firearms, ammunition, explosives, or dangerous weapons.
8. Not possess stolen property.
9. Not operate a motor vehicle without a valid driver license and proper insurance.
10. Report to his CCO all law enforcement contacts within 24 hours of occurrence.
11. Not consume, possess, or distribute alcohol or controlled substances without a valid physician's prescription.
12. Not visit bars, taverns, or other establishments in which alcohol is the primary item being served, unless he receives approval from his CCO.
13. Obtain an Alcoholics Anonymous/Narcotics Anonymous sponsor and attend regular meetings as recommended by his CCO.
14. Be subject to regular drug urinalysis and alcohol breath analysis as directed by his CCO.
15. Not associate with known criminals, gangs or individuals that have a criminal or gang history without first consulting his CCO.
16. Enroll in, and successfully complete any other programming or treatment as directed by DOC.

PROVIDED, that Mr. Hoggatt shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of his community supervision.

2020 REGULAR SESSION

Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Amended Conditional Commutation as provided below. If Mr. Hoggatt is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Hoggatt to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Hoggatt if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Hoggatt violates any of the conditions of this Amended Conditional Commutation, as determined by the Governor, this Amended Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Hoggatt will be immediately returned to any such facility as the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Amended Conditional Commutation may then be mailed to the most recent address Mr. Hoggatt has provided to the Office of the Governor or, if Mr. Hoggatt is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Hoggatt submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Amended Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Hoggatt an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Amended 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 determination on whether Mr. Hoggatt has violated the conditions of this Amended Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Hoggatt 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, this Amended Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Hoggatt will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Hoggatt may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Amended Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Amended Conditional Commutation, reason to be concerned that he would pose a risk to any person or the community, or that there is a possibility that Mr. Hoggatt may abscond if not detained. If detained, Mr. Hoggatt 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 this 18th day of July, A.D., two thousand and nineteen.

/s/

Jay Inslee
Governor



/s/

Mark Neary
Assistant Secretary of State

AMENDED CONDITIONAL COMMUTATION
OF
GARY MELBERT THOMAS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1999 Gary Melbert Thomas was found guilty of five counts of SECOND DEGREE ROBBERY in King County Superior Court Cause No. 98-1-06914-3. In 1998, an unarmed Mr. Thomas entered several Seattle-area banks, each time threatening the tellers and demanding cash.

WHEREAS, this offense qualified Mr. Thomas as a “Three Strikes” persistent offender and resulted in a life sentence. In addition to this conviction, Mr. Thomas has been convicted of multiple robberies and a burglary, dating back to the early 1970s.

WHEREAS, Mr. Thomas has served over 18 years on this matter.

WHEREAS, Mr. Thomas accepts full responsibility for his past criminal conduct and expresses remorse. He has taken personal development courses in prison, and he has taught art classes to individuals as part of the University Behind Bars program.

WHEREAS, much of Mr. Thomas’ past criminal behavior resulted from his 30-year addictions to heroin and crack cocaine. Mr. Thomas is now over 70 years old and is suffering from stage-four liver disease as well as a chronic heart condition.

WHEREAS, in June 2016, the Clemency and Pardons Board reviewed Mr. Thomas’ clemency petition, and unanimously recommended that the Governor grant him a Conditional Commutation. He received that Conditional Commutation in January 2017.

WHEREAS, in May 2019, following that Conditional Commutation and while on community supervision, Mr. Thomas violated the terms of his Conditional Commutation when he tested positive for having consumed heroin.

WHEREAS, the King County Prosecuting Attorney supported Mr. Thomas’ initial clemency petition, and it continues to support Mr. Thomas even after his violation. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, the favorable recommendation of the Washington State Clemency and Pardons Board and, the circumstances of his actions that violated the terms of his Conditional Commutation, 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, AMEND the January 10, 2017, CONDITIONAL COMMUTATION of Mr. Thomas’ sentence for his 1999 convictions on five counts of SECOND DEGREE ROBBERY, conditioned on his written agreement to comply with all terms outlined by the DOC in a transition plan in which Mr. Thomas will be released from custody to enter and complete an in-patient treatment program with Pioneer Human Services at Pioneer Center North, or a similar program as deemed appropriate by DOC. He must complete any DOC-recommended programs aimed at preparing him for a successful reentry to the community. Upon release from custody, Mr. Thomas shall serve 24 months community supervision. During this period of supervision, Mr. Thomas must comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Complete recommended treatment programming at Pioneer Center North, or a similar program as determined by DOC, and any after-care programs recommended by the facility or DOC.

3. Be available for contact with DOC as directed, and consent to DOC home or hospital visits and or searches to monitor compliance with supervision. These visits include access for visual inspection of all areas of the residence in which Mr. Thomas has exclusive or joint control or access.
4. Obtain legal employment or enroll in educational programming, upon approval of his residence treatment provider and/or completion of his treatment, as directed by DOC.
5. Obtain written permission from DOC before traveling outside his county of residence.
6. Obtain permission from DOC before changing residences, even for one night.
7. Not open a bank account or enter a bank without consulting DOC and having a verifiable legitimate reason.
8. Be subject to polygraph testing as required by DOC.
9. Not own, possess, receive, ship, or transport firearms, ammunition or dangerous weapons.
10. Report to DOC all law enforcement contacts within 24 hours of occurrences.
11. Not consume, possess, or distribute controlled substances without a valid physician’s prescription.
12. Follow prescribed medical treatment as determined by a health care provider or DOC.
13. Not visit bars and taverns, unless he receives approval from DOC.
14. Be subject to regular drug urinalysis and alcohol breath analysis as directed by DOC.
15. Not associate with known criminals, gangs or individuals that have a criminal history without first consulting DOC.
16. Enroll and successfully complete any other programming as recommended by DOC.

PROVIDED, that Mr. Thomas shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Amended Conditional Commutation as provided below. If Mr. Thomas is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Thomas to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Thomas if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Thomas violates any of the conditions of this Amended Conditional Commutation, as determined by the Governor, this Amended Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Thomas will be immediately returned to any such facility as the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor’s intent to review the alleged violations and revoke or amend the Amended Conditional Commutation may then be mailed to the most recent address Mr. Thomas has provided to the Office of the Governor or, if Mr. Thomas is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Thomas submits a sworn statement made under penalty of perjury that he has, in fact, complied conditions of this Amended Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Thomas an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Amended Conditional Commutation is granted. The hearing officer shall present findings of fact and a

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

transcript of the hearing to the Governor for the Governor’s final and conclusive determination on whether Mr. Thomas has violated the conditions of this Amended Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Thomas 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, this Amended Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Thomas will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Thomas may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Amended Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Amended 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. Thomas may abscond if not detained. If detained, Mr. Thomas 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 this 1st day of July, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
SOK KROUCH

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1997, a teenage Sok Krouch drove a carload of friends to an individual’s house. On arrival, his friends left his car and fired gunshots at the victim. Mr. Krouch, who was not carrying a weapon, remained in the car during the assault.

WHEREAS, a jury found Mr. Krouch guilty of FIRST DEGREE ASSAULT, as an accomplice, in Cowlitz County Superior Court, Cause No. 97-1-00156-8. The trial court sentenced Mr. Krouch to 162 months in prison.

WHEREAS, Mr. Krouch has accepted full responsibility for his actions and served his full sentence. Since this incident, Mr. Krouch has purchased a home and started a family with his longtime partner and her daughter.

WHEREAS, Mr. Krouch has no other felony criminal convictions on his record since this event.

WHEREAS, since his release from state prison, Mr. Krouch has checked in with federal immigration authorities 23 times. Due to his conviction, Mr. Krouch now faces the possibility of imminent deportation from the United States to Cambodia, a country from which he and his family fled as refugees when he was a young child.

WHEREAS, the victim was invited to provide input as to Mr. Krouch’s petition, but declined to offer an opinion.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Krouch receive a full

pardon. In making this favorable recommendation, the Board cited his strong familial and community networks, the possibility that a pardon may allow him to gain more substantial employment, and the fact that he has already served several years on this conviction.

WHEREAS, I have reviewed the pertinent facts and circumstances surrounding this matter, the circumstances of the crime and the consequences that this deportation will have on Mr. Krouch and his family, 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 Sok Krouch this FULL AND UNCONDITIONAL pardon of his conviction for FIRST DEGREE ASSAULT in Cowlitz County Superior Court, Cause No. 97-1-00156-8.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 18th day of June, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
VAN HAM

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1997, Van Ham touched the breasts of his then-girlfriend’s pre-teen daughter and her pre-teen friend. He pleaded guilty to one count of SECOND DEGREE CHILD MOLESTATION in King County Superior Cause No. 98-1-8709-5 SEA. The trial court sentenced Mr. Ham to 15 months in prison and required him to register as a sex offender for 15 years.

WHEREAS, Mr. Ham has accepted full responsibility for his actions and completed all of his sentence requirements. Since this incident, Mr. Ham has steadily worked to support his family, which includes his long-time partner, and several children and grandchildren.

WHEREAS, this is the only criminal conviction on Mr. Ham’s criminal record.

WHEREAS, due to Mr. Ham’s conviction, he now faces the possibility of imminent deportation from the United States to Cambodia, a country from which he and his family fled as refugees when he was a young man.

WHEREAS, the King County Prosecuting Attorney’s Office does not object to Mr. Ham’s petition. Both of Mr. Ham’s victims were invited to provide input as to Mr. Ham’s petition. One of the victims chose to submit written testimony, and she supports Mr. Ham’s petition for a pardon.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Ham receive a full pardon. In making this favorable recommendation, the Board cited his lack of other criminal history, his family’s reliance on his support, his connection to his community, and the fact that he now faces deportation to a country that he does not know.

WHEREAS, I have reviewed the pertinent facts and circumstances surrounding this matter, the circumstances of the crime and the consequences that this deportation will have on Mr. Ham and his family, 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 Van Ham this FULL AND UNCONDITIONAL pardon of his conviction for SECOND DEGREE CHILD MOLESTATION in King County Superior Court, Cause No. 98-1-8709-5 SEA.



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

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

CONDITIONAL COMMUTATION
OF
PERCY LEVY

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2003, Percy Levy pleaded guilty to FIRST DEGREE BURGLARY, two counts of FIRST DEGREE ROBBERY, and one count of SECOND DEGREE UNLAWFUL FIREARM POSSESSION in Snohomish County Superior Court Cause No. 02-1-02453-4. The convictions followed events in which Levy and accomplices entered a drug house armed, intending to secure more drugs. They engaged in a physical confrontation with the home's occupants and threatened additional violence. They fled the home with drugs and other valuables.

WHEREAS, following these actions, a court sentenced Mr. Levy to 296 months on the offenses. He is expected to be released from prison in April 2026. He has had no prison infractions since 2006.

WHEREAS, Mr. Levy's two accomplices received significantly lower prison sentences of three and six years.

WHEREAS, in September 2018, the Clemency and Pardons Board reviewed Mr. Levy's clemency petition. The testimony before the Board was that Mr. Levy's lengthy criminal record was linked to his drug addiction. He achieved sobriety over 15 years ago, and since then, he's demonstrated tremendous personal growth. While incarcerated, he has earned an associate's degree and become a published author.

WHEREAS, Mr. Levy has been accepted into a transition program that he will enter upon his release from custody. He will eventually live with his wife of over eight years.

WHEREAS, Mr. Levy's sentencing judge described his sentence as unduly harsh, and had he had the discretion, states that he would have ordered a lesser sentence. He supports Mr. Levy's petition.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Levy's sentence. In making this recommendation, the Board cited his turnaround since achieving sobriety. It also noted his intelligence, ability to cultivate strong relationships, and his strong network of friends and family that will support his transition back to the community on his release from prison.

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 Percy Levy's 2003 sentence for FIRST DEGREE BURGLARY, two counts of FIRST DEGREE ROBBERY, and one count of SECOND DEGREE UNLAWFUL FIREARM POSSESSION in Snohomish County Superior Court Cause No. 02-1-02453-4, conditioned on his written agreement to comply with all terms outlined by DOC in an in-custody transition plan, to be completed no later than September 1, 2020. While in custody, Mr. Levy must successfully complete a DOC-approved six-month work-release program. If Mr. Levy satisfies all phases of his in-custody transition plan by September 1, 2020, DOC shall have the authority to release him after first completing all appropriate statutory notifications. He will serving 48 months of DOC community supervision. During this period in under community supervision, Mr. Levy must comply with any conditions DOC. These conditions shall include, but not be limited to the following:

Mr. Levy shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, instructions issued by DOC.
2. Be available for contact with DOC as directed, and consent to DOC employment visits and/or searches, including searches of person, personal property, electronic devices, or social media accounts.
3. Obtain DOC-approved employment or enroll in DOC-approved vocational programming, and report it to DOC along with changes in 24 hours of that change.
4. Engage in programming that teaches anger, stress, and aggression within first 18 months of community supervision.
5. Obtain and complete any recommended treatments as determined by completion of any in-custody assessments.
6. Reside in DOC-approved housing, and obtain DOC permission before residences or taking overnight visits away from the DOC-approved even if just for one night.
7. Not travel outside his county of residence without written DOC remain in, or out of, a given geographical area as directed by DOC.
8. Be subject to DOC curfews.
9. Comply with all applicable judgment and sentence orders.
10. Not operate a motor vehicle without a valid driver's license and registration.
11. Not possess firearms, ammunition, explosives, or dangerous weapons as determined by DOC.
12. Not possess tools other than those approved by DOC.
13. Not possess in the home, or use, alcohol or controlled substances, including marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
14. Not visit bars, taverns, or other establishments in which alcohol is the primary commodity being sold, unless approved by DOC.
15. Be subject to regular drug and alcohol testing as directed by DOC.
16. Be subject to polygraph testing as determined by DOC.
17. Report to DOC all law enforcement contacts within 24 hours of occurrence.
18. Not associate with known criminal felons or gang members without DOC approval.

PROVIDED, that Mr. Levy shall remain under DOC supervision and explicitly follow the conditions established by

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

FRANK ALBERT ANGEHRN, JR.

DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Levy is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Levy to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Levy if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Levy violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Levy will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Levy has provided to the Office of the Governor or, if Mr. Levy is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Levy submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Levy 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 determination on whether Mr. Levy has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Levy 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, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Levy will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Levy 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. Levy may abscond if not detained. If detained, Mr. Levy 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 this 8th day of April, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor



/s/
Mark Neary
Assistant Secretary of State

CONDITIONAL COMMUTATION
OF

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1995, a jury found Frank Albert Angehrn, Jr. guilty of two counts of FIRST DEGREE ROBBERY, one count of ATTEMPTED FIRST DEGREE ROBBERY, and one count of ATTEMPTED SECOND DEGREE ROBBERY in King County Superior Court Cause No. 94-1-06563-3. The convictions followed events in which Mr. Angehrn, while addicted to methamphetamines, repeatedly entered business establishments and demanded money from cashiers, sometimes showing a weapon.

WHEREAS, these convictions followed other earlier robbery convictions involving weapons, resulting in Mr. Angehrn being sentenced to life in prison without the possibility of parole under Washington's persistent offender statute.

WHEREAS, Mr. Angehrn has served over 23 years in prison for these crimes. But for his status as a persistent offender, the top end of the standard range for his convictions would have resulted in a sentence of less than 15 years.

WHEREAS, in September 2018, the Clemency and Pardons Board reviewed Mr. Angehrn's clemency petition. The testimony before the Board was that Mr. Angehrn has shown remorse for his past conduct. Mr. Angehrn achieved sobriety in 2004, and since then he has had no prison infections. He is currently classified as a low risk to reoffend.

WHEREAS, Mr. Angehrn has flourished in an intensive substance abuse program. He has found a sponsor at an outpatient treatment center to support him upon his release, and he had been accepted into a Pioneer Human Services program to help him with his community transition.

WHEREAS, the King County Prosecuting Attorney does not object to Mr. Angehrn's petition.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Angehrn's sentence. In making this recommendation, the Board cited his 23 years in prison for crimes that typically carried a shorter sentence. The Board also noticed the difference in Mr. Angehrn's behavior once he achieved sobriety.

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 Frank Albert Angehrn Jr. 's 1995 sentence for two counts of FIRST DEGREE ROBBERY, one count of ATTEMPTED FIRST DEGREE ROBBERY, and one count of ATTEMPTED SECOND DEGREE ROBBERY in King County Superior Court Cause No. 94-1-06563-3, conditioned on his written agreement to comply with all terms outlined by DOC in an in-custody transition plan, to be completed no later than September 1, 2020. While in custody, Mr. Angehrn must successfully complete a DOC approved six-month work-release program. If Mr. Angehrn satisfies all phases of his incustody transition plan by September 1, 2020, DOC shall have the authority to release him after first completing all appropriate statutory notifications. He will then begin serving 48 months of DOC community supervision. During this period in custody and under community supervision, Mr. Angehrn must comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

Mr. Angehrn shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Be available for contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, personal property, electronic devices, or social media accounts.
3. Obtain DOC-approved employment or enroll in DOC-approved educational or vocational programming, and report it to DOC along with changes in status.
4. Reside in DOC-approved housing, and obtain DOC permission before changing residences or taking overnight visits away from the DOC-approved residence, even if just for one night.
5. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a given geographical area as directed by DOC.
6. Comply with all applicable judgment and sentence orders.
7. Not operate a motor vehicle without a valid driver's license and registration.
8. Not possess firearms, ammunition, explosives, or dangerous weapons as determined by DOC.
9. Not possess tools other than those approved by DOC for authorized purposes.
10. Not possess in the home, or use, alcohol or controlled substances, including medications or marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
11. Not visit bars, taverns, or other establishments in which alcohol or marijuana is the primary commodity being sold, unless approved by DOC.
12. Be subject to regular drug and alcohol testing as directed by DOC.
13. Not associate with known criminal felons or gang members, as directed by DOC.
14. Report to DOC all law enforcement contacts within 24 hours of occurrence.

PROVIDED, that Mr. Angehrn shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Angehrn is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Angehrn to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants to detain Mr. Angehrn if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Angehrn violates any conditions of this Conditional Commutation, as determined by the Governor, Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Angehrn will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Angehrn has provided to the Office of the Governor or, if Mr. Angehrn is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Angehrn submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a

hearing officer. The hearing officer will provide Mr. Angehrn 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 determination on whether Mr. Angehrn has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Angehrn 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, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Angehrn will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Angehrn 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 of to the community, or that there is a possibility that Mr. Angehrn may abscond if not detained. If detained, Mr. Angehrn 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 this 21st day of March, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

CONDITIONAL COMMUTATION
OF
SILAS JESS ROBBINS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2004, Silas Jess Robbins pleaded guilty to two counts of FIRST DEGREE ASSAULT in Skagit County Superior Court Cause No. 03-1-00732-2. The conviction followed events in which Mr. Robbins, under the influence of drugs and alcohol, assaulted with a pocket knife two security guards at a casino.

WHEREAS, following these actions, a court sentenced Mr. Robbins to 240 months on the offenses. He is expected to be released from prison in September 2021.

WHEREAS, this is the only felony offense on Mr. Robbins' criminal record. Mr. Robbins has not received any prison infractions in ten years, and he maintains a low risk level classification.

WHEREAS, in September 2018, the Clemency and Pardons Board reviewed Mr. Robbins' clemency petition. The testimony before the Board was that Mr. Robbins has shown remorse for his past conduct. When he is released from prison, he has a construction job awaiting him, as well as living accommodations and reliable transportation.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

WHEREAS, the Skagit County Prosecuting Attorney does not object to Mr. Robbins' petition. One of Mr. Robbins' victims supports his petition.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Robbins' sentence. In making this recommendation, the Board cited the lack of other felonies on his criminal record and his history of good behavior while in custody. It also noted his strong network of friends and family that will support his transition back to the community on his release from prison.

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 the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Silas Jess Robbins' 2004 sentence for his two counts of FIRST DEGREE ASSAULT in Skagit County Superior Court Cause No. 03-1-00732-2, conditioned on his written agreement to comply with all terms outlined by DOC in an in-custody transition plan, to be completed no later than April 1, 2020. While in custody, Mr. Robbins must successfully complete a DOC-approved six-month work-release program. If Mr. Robbins satisfies all phases of his in-custody transition plan by April 1, 2020, DOC shall have the authority to release him after first completing all appropriate statutory notifications. He will then begin serving 48 months of DOC community supervision. During this period in custody and under community supervision, Mr. Robbins must comply with any conditions set forth by DOC. These conditions shall include, but not be limited to the following:

Mr. Robbins shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Be available for contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, personal property, electronic devices, or social media accounts.
3. Obtain DOC-approved employment or enroll in DOC-approved educational or vocational programming, and report it to DOC along with changes in status within 24 hours of that change.
4. Complete any recommended mental health evaluations, treatment, or programming, as determined by DOC.
5. Reside in DOC-approved housing, and obtain DOC permission before changing residences or taking overnight visits away from the DOC-approved residence, even if just for one night.
6. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a given geographical area as directed by DOC.
7. Be subject to DOC curfews.
8. Comply with all applicable judgment and sentence orders.
9. Not operate a motor vehicle without a valid driver's license and registration.
10. Not possess firearms, ammunition, explosives, or dangerous weapons as determined by DOC.
11. Not possess in the home, or use, alcohol or controlled substances, including marijuana or paraphernalia, without a valid physician's prescription and DOC

approval.

12. Not visit bars, taverns, or other establishments in which alcohol is the primary commodity being sold, unless approved by DOC.
13. Be subject to regular drug and alcohol testing as directed by DOC.
14. Report to DOC all law enforcement contacts within 24 hours of occurrence.

PROVIDED, that Mr. Robbins shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Robbins is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Robbins to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Robbins if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Robbins violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Robbins will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Robbins has provided to the Office of the Governor or, if Mr. Robbins is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Robbins submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Robbins 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 determination on whether Mr. Robbins has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Robbins 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, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Robbins will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Robbins 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. Robbins may abscond if not detained. If detained, Mr. Robbins 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 this 14th day of March, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
LAURA MICHELLE BREM

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, over a month-long period in 1987 and 1988, Laura Michelle Brem, committed a series of crimes in order to feed her heroin addiction. She ultimately pleaded guilty to FIRST DEGREE ROBBERY (King County Superior Court No. 88-1-02334-1); FORGERY, SECOND DEGREE THEFT, and SECOND DEGREE POSSESSION OF STOLEN PROPERTY (King County Superior Court No. 87-1-05109-5); FORGERY (King County Superior Court No. 87-1-04249-5); and three counts of SECOND DEGREE POSSESSION OF STOLEN PROPERTY (Snohomish County Superior Court No. 88-100592-8).

WHEREAS, none of these convictions resulted in a victim experiencing physical harm. In 1992, Ms. Brem achieved sobriety, and she has had no criminal convictions in the years since.

WHEREAS, in September 2018, the Clemency and Pardons Board reviewed Ms. Brem's petition for a pardon. The testimony before the Board was that Ms. Brem is a committed volunteer in her community who works directly with at-risk youth to provide them mentorship and support. Ms. Brem explained that these convictions may encumber her pursuit of future work in her professional career as an electrical engineer.

WHEREAS, the King County and Snohomish County Prosecuting Attorneys do not oppose her petition for a pardon.

WHEREAS, the Clemency and Pardons Board voted 4-0 to recommend that Ms. Brem receive a full pardon. In making this favorable recommendation, the Board cited her dedication to her community and her lack of a criminal record since her sobriety.

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 Laura Michelle Brem this FULL AND UNCONDITIONAL pardon of her convictions for FIRST DEGREE ROBBERY (King County Superior Court No. 88-1-02334-1); FORGERY, SECOND DEGREE THEFT, and SECOND DEGREE POSSESSION OF STOLEN PROPERTY (King County Superior Court No. 87-1-05109-5); FORGERY (King County Superior Court No. 87-1-04249-5); and three counts of SECOND DEGREE POSSESSION OF STOLEN PROPERTY (Snohomish County Superior Court No. 88-1-00592-8).



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

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

CONDITIONAL COMMUTATION
OF
EDWARD ALLEN STEWARD

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2006, a jury found Edward Allen Steward guilty of FIRST DEGREE KIDNAPPING and SECOND DEGREE ASSAULT in Clallam County Superior Court Cause No. 06-1-00395-0. The conviction followed events in which Mr. Steward, along with two other men, held a man at gunpoint and later held him in their car, forcing the man to make arrangements for Mr. Steward to collect on a drug debt.

WHEREAS, following these events, Mr. Steward's two co-defendants each took plea deals to serve 48 months in prison. Mr. Steward rejected the same plea deal, and at trial, his two co-defendants testified against him. A jury found him guilty and the court sentenced him to 48 months on the underlying crimes and an additional 19 years on mandatory enhancements.

WHEREAS, in September 2018, the Clemency and Pardons Board reviewed Mr. Steward's clemency petition. The testimony before the Board was that Mr. Steward has shown remorse for his past conduct. He has been accepted into the FareStart program; through this program, he will receive career services and housing opportunities to help his transition to the community.

WHEREAS, the Clallam County Prosecuting Attorney does not object to Mr. Steward's petition. Mr. Steward's sentencing judge stated that he believes that Mr. Steward's sentence was excessive, and had he had the discretion, he would have sentenced Mr. Steward to a term that more closely mirrored that of his co-defendants.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Steward's sentence. In making this recommendation, the Board cited the disproportionality of his sentence when compared to that of his codefendants. The Board also cited the lack of opposition from the prosecutor and the sentencing judge's statement. The Board noted that Mr. Steward has been accepted into the FareStart program and that he has a strong transition plan.

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 Edward Allen Steward's 2006 sentence for his FIRST DEGREE KIDNAPPING and SECOND DEGREE ASSAULT convictions in Clallam Superior Court Cause No. 06-1-00395-0, conditioned on his written agreement comply with all terms outlined by DOC in an in-custody transition plan, to be completed no later than September 1, 2020. While in custody, Mr.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

Steward must successfully complete a DOC-approved six-month work-release program. If Mr. Steward satisfies all phases of his in-custody transition plan by September 1, 2020, DOC shall have the authority to release him after first completing all appropriate statutory notifications. He will then begin serving 36 months of DOC community supervision. During this period in custody and under community supervision, Mr. Steward must comply with any conditions set forth by DOC. These conditions shall but not be limited to the following:

Mr. Steward shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Be available for contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, personal property, electronic devices, or social media accounts.
3. Obtain DOC-approved employment or enroll in DOC-approved educational or vocational programming, and report it to DOC along with changes in status.
4. Reside in DOC-approved housing, and obtain DOC permission before changing residences or taking overnight visits away from the DOC-approved residence, even if just for one night.
5. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a given geographical area as directed by DOC.
6. Be subject to DOC curfews.
7. Comply with all applicable judgment and sentence orders.
8. Not operate a motor vehicle without a valid driver's license and registration.
9. Not possess firearms, ammunition, explosives, or dangerous weapons as determined by DOC.
10. Not possess in the home, or use, alcohol or controlled substances, including marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
11. Identify and attend regular sobriety support group meetings as directed by DOC.
12. Not visit bars, taverns, night clubs, or other establishments in which alcohol is the primary commodity being sold, unless approved by DOC.
13. Be subject to regular drug and alcohol testing as directed by DOC.
14. Not associate with known criminals or gang members, as directed by DOC.
15. Report to DOC all law enforcement contacts within 24 hours of occurrence.

PROVIDED, that Mr. Steward shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Steward is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Steward to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Steward if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Steward violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Steward will be immediately

returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Steward has provided to the Office of the Governor or, if Mr. Steward is in custody, to his place of detention. If within 14 calendar day of the mailing of the notice, Mr. Steward submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Steward 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 determination on whether Mr. Steward has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Steward 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, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Steward will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Steward 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. Steward may abscond if not detained. If detained, Mr. Steward 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 this 14th day of March, A.D., two thousand and nineteen.



/s/
Jay Insole
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
ANATOLIY NIKOLAYEVIC NIKONENKO

To All to Whom These Presents Shall Come, Greetings:
WHEREAS, in 2001, Anatoliy Nikolayevic Nikonenko engaged in an argument with his wife. The argument escalated and turned physical when he picked up a knife and caused her injury.

WHEREAS, Mr. Nikonenko pleaded guilty to SECOND DEGREE ASSAULT WITH A DEADLY WEAPON in Pierce County Superior Court, Cause No. 01-1-4237-0. The trial court sentenced Mr. Nikonenko to 60 months in prison.

WHEREAS, Mr. Nikonenko has accepted full responsibility for his actions and completed all of his sentence requirements. Mr. Nikonenko remains married to the victim and continues to support his family.

WHEREAS, this criminal conviction is the only one on Mr. Nikonenko's record.

WHEREAS, in December 2018, the Clemency and Pardons Board reviewed

Mr. Nikonenko's petition for a pardon. Since this criminal incident, he and his family have purchased a home in Tacoma, and he has maintained steady employment as a carpenter.

WHEREAS, Mr. Nikonenko fled Ukraine as an adult as a result of religious persecution. Due to Mr. Nikonenko's conviction, he now faces the possibility of deportation from the United States to a conflict-ridden region in Ukraine, where he would likely again face religious persecution.

WHEREAS, Mr. Nikonenko received support from his family and community before the Clemency and Pardons Board. The victim, his wife, supports his petition. The Pierce County Prosecuting Attorney's Office does not object to Mr. Nikonenko's petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Nikonenko receive a full pardon. In making this favorable recommendation, the Board cited his lack of any other criminal history, strong ties to his family and community, and the detriment to his family and community in the event he were to be deported.

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 Anatoliy Nikolayevic Nikonenko his FULL AND UNCONDITIONAL pardon of his conviction for SECOND DEGREE ASSAULT WITH A DEADLY WEAPON in Pierce County Superior Court, Cause No. 01-1-42374-0.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 28th day of January, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor



/s/
Mark Neary
Assistant Secretary of State

SECOND AMENDED CONDITIONAL COMMUTATION
OF
LE'TAXIONE

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1998 Le'Taxione (Ernest A. Carter) was found guilty of two counts of FIRST DEGREE ROBBERY, Pierce County Superior Court Cause No. 97-1-04547-1. In 1997, Le'Taxione entered and then, pretending he had a weapon, held up a Tacoma Subway, before then holding up an AM/PM. Between these two robberies, Le'Taxione took roughly \$200 from the cashiers.

WHEREAS, this offense qualified Le'Taxione as a "Three Strikes" persistent offender and resulted in a life sentence. In addition to this conviction, Le'Taxione was convicted of

assaulting a police officer in California in 1983, and also attempted murder with a firearm in 1990 in Oregon.

WHEREAS, in December 2015, the Clemency and Pardons Board reviewed Le'Taxione's clemency petition. It voted unanimously to recommend that the Governor commute Le'Taxione's sentence.

WHEREAS, on December 21, 2016, I commuted Le'Taxione's life sentence, conditioned on his completion of a work release program and compliance with a series of terms of supervision.

WHEREAS, while on work release in December 2017, Le'Taxione refused a urinalysis test and failed an alcohol breathe analysis test, blowing a .04. In March 2018, a different hearing officer found that through these actions, Le'Taxione twice violated the terms of his Conditional Commutation.

WHEREAS, before these violations, Le'Taxione earned a strong reputation in his work release program. He has been characterized as a "great and dependable worker" and "pleasant and respectful." Accordingly, in April 2018, I issued Le'Taxione an Amended Conditional Commutation, allowing him another opportunity to eventually return to the community.

WHEREAS, in October 2018, the Department of Corrections alleged that Le'Taxione was failing to follow the recommendations of his chemical dependency program treatment counselors. In November 2018, a hearings officer found that Le'Taxione violated the terms of his Conditional Commutation. And,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, the favorable recommendation of the Washington State Clemency and Pardons Board and, the circumstances of his actions that violated the terms of his Conditional Commutation and Amended Conditional Commutation, 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, AMEND the April 10, 2018 AMENDED CONDITIONAL COMMUTATION of Le'Taxione's sentence for his 1998 conviction for two counts of FIRST DEGREE ROBBERY, conditioned on his compliance with all terms outlined by the DOC in a transition plan. While incarcerated, Le'Taxione must complete a DOC recommended chemical dependency assessment to inform possible substance abuse treatments. Upon completion of any treatment and programming identified by DOC, and following an approved release plan to the community and any statutorily mandated community notifications, Le'Taxione shall be released by DOC to serve 24 months of DOC community supervision. During this period under DOC custody and later on community supervision, Le'Taxione must comply with any conditions set forth by DOC and DOC personnel. These conditions shall include, but not be limited to the following:

Le'Taxione shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Be available for contact with DOC as directed, and consent to DOC home or hospital visits and or searches, to also include searches of his person or automobiles, to monitor compliance with supervision. These visits must include access for visual inspection of all areas of the residence in which Le'Taxione has exclusive or joint control or access, and includes the securing of dangerous animals.
3. Obtain legal verifiable employment or enroll in educational programming, and report it to DOC.
4. Obtain written permission from DOC before traveling

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

- outside his county of residence.
- 5. Obtain permission from DOC before changing residences, even for one night.
- 6. Not own, possess, receive, ship, or transport firearms, ammunition, explosives, or dangerous weapons. He may not possess body armor.
- 7. Report to DOC all law enforcement contacts within 24 hours of occurrence.
- 8. Not consume, possess, or distribute alcohol or controlled substances without a valid physician's prescription.
- 9. Not visit bars, taverns, or other establishments in which alcohol is the primary item being served, unless he receives approval from DOC.
- 10. Obtain a Narcotics Anonymous sponsor and attend regular meetings as recommended by DOC.
- 11. Obtain a chemical dependency evaluation and follow all treatment recommendations.
- 12. Be subject to regular drug urinalysis and alcohol breath analysis as directed by DOC.
- 13. Not associate with known criminals, gangs or individuals that have a criminal or gang history without first consulting and receiving permission from DOC.
- 14. Enroll in, and successfully complete any programming or treatment as directed by DOC.

PROVIDED, that Le'Taxione shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Second Amended Conditional Commutation as provided below. If Le'Taxione is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Le'Taxione to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Le'Taxione if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Le'Taxione violates any of the conditions of this Second Amended Conditional Commutation, as determined by the Governor, this Second Amended Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Le'Taxione will be immediately returned to any such facility as the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Second Amended Conditional Commutation may then be mailed to the most recent address Le'Taxione has provided to the Office of the Governor or, if Le'Taxione is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Le'Taxione submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Second Amended Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Le'Taxione an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Second Amended 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 determination on whether Le'Taxione has violated the conditions of this Second Amended Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Le'Taxione 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, this Second Amended Conditional Commutation may be revoked and the sentence of the court

reinstated, whereupon Le'Taxione will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Le'Taxione 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 Le'Taxione may abscond if not detained. If detained, Le'Taxione 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 this 14th day of December, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
ROEUTH AN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1994, Roeuth An, was driving a car with his friend seated in the passenger seat. They approached three men on a sidewalk, and Mr. An pulled the car over. His friend lowered the passenger window, started arguing with the men, and then fired multiple shots at the three pedestrians as Mr. An started to drive the car away.

WHEREAS, Mr. An pleaded guilty to three counts of SECOND DEGREE ASSAULT, as an accomplice, in Pierce County Superior Court, Cause No. 94-1-4920-0. The trial court sentenced Mr. An to 18 months in prison.

WHEREAS, Mr. An has accepted full responsibility for his actions and completed all of his sentence requirements. Since this incident, Mr. An has steadily worked as an electrician to support his family, which includes his long-time partner, a teenage son, and a stepdaughter.

WHEREAS, in the years since Mr. An's 1995 criminal conviction, he has not had any other criminal convictions.

WHEREAS, due to Mr. An's conviction, he now faces the possibility of imminent deportation from the United States to Cambodia, a country from which he and his family fled as refugees when he was a young child.

WHEREAS, the Pierce County Prosecuting Attorney's Office does not object to Mr. An's petition. That office attempted to contact the victims in this matter, so that they may opine about Mr. An's petition. No victims responded to the Prosecuting Attorney's Office communications.

WHEREAS, the Clemency and Pardons Board expedited reviewed of Mr. An's petition for a pardon. But even with the Board expediting its review, Mr. An faces an immediate deportation. Federal agents will not stay his deportation to await the outcome of the Board's hearing on his petition.

WHEREAS, given the exigency of the circumstances, the timing of Mr. An's expedited hearing before the Clemency Board will not allow the Board to issue a recommendation for my

consideration before he is deported. So I am compelled to rely on the near-complete written record before me to review his petition and issue this order without the benefit of a public hearing and the Clemency Board's recommendation.

WHEREAS, I have reviewed the pertinent facts and circumstances surrounding this matter, the circumstances of the crime and the consequences that this deportation will have on Mr. An and his family, 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 Ro euth An this FULL AND UNCONDITIONAL pardon of his convictions of three counts of SECOND DEGREE ASSAULT in Pierce County Superior Court, Cause No. 94-1-4920-0.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 6th day of December, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

CONDITIONAL COMMUTATION
OF
GEORGE PATTON CLARK

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2001, a jury found George Patton Clark guilty of SECOND DEGREE ROBBERY in King County Superior Court Cause No. 00-1-08739-6. The conviction followed events in which Mr. Clark entered an Auburn bank, approached a bank teller, and demanded money. Nobody was physically harmed during the robbery.

WHEREAS, this robbery conviction followed other earlier convictions, resulting in Mr. Clark being sentenced to life in prison without the possibility of parole under Washington's persistent offender statute.

WHEREAS, Mr. Clark has served over 17 years in prison on this conviction, and he has paid all of his legal financial obligations. He is now 66 years old and suffers from several health conditions, such as degenerative joint disease, hypertension, and asthma.

WHEREAS, in June 2018, the Clemency and Pardons Board reviewed Mr. Clark's clemency petition. The testimony before the Board was that Mr. Clark has a fiancé who is prepared to move to Washington to support him with housing and his reentry transition.

WHEREAS, neither the King County Prosecuting Attorney nor any victims oppose Mr. Clark's petition.

WHEREAS, the Clemency and Pardons Board voted to recommend that the Governor commute Mr. Clark's sentence. In making this recommendation, the Board cited Mr. Clark's age and ongoing health concerns. It also found persuasive the testimony of Mr. Clark's fiancé.

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 George Patton Clark's 2001 sentence for his SECOND DEGREE ROBBERY conviction in King County Superior Court Cause No. 00-108739-6, conditioned on his written agreement to comply with all terms outlined by DOC in an in-custody transition plan, to be completed no later than June 1, 2020. During his last six months in custody, Mr. Clark must successfully complete a DOC-approved work-release program. Following his in-custody transition, Mr. Clark shall begin serving 36 months of DOC community supervision. During this period in custody and under community supervision, Mr. Clark must comply with any conditions set forth by DOC and its corrections officers. These conditions shall include, but not be limited to the following:

Mr. Clark shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Be available for contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, personal property, computers, social media accounts, and common areas to which he has access.
3. Obtain DOC-approved employment or enroll in DOC-approved educational or vocational programming while on community supervision, and report it to DOC along with changes in status within 24 hours of those changes.
4. Reside in DOC-approved housing, and obtain DOC permission before changing residences or taking overnight visits away from the DOC-approved residence, even if just for one night.
5. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a given geographical area as directed by DOC.
6. Not operate a motor vehicle without a valid driver's license and registration.
7. Not possess firearms, ammunition, explosives, or dangerous weapons as determined by DOC.
8. Enroll and complete a chemical dependency assessment and treatment program before release from prison.
9. Enroll and complete all required aftercare as recommended by after the chemical dependency assessment in the community upon release to community supervision.
10. Not possess in the home, or use, alcohol, illegal drugs, or controlled substances, including marijuana or paraphernalia, without a valid physician's prescription and DOC approval.
11. Not visit bars, taverns, or other establishments in which alcohol is the primary commodity being sold, unless approved by DOC.
12. Be subject to regular drug and alcohol testing as directed by DOC.
13. Not enter a bank or credit union or banking institution without a specific legitimate purpose and without first getting permission, from DOC.
14. Be subject to a designated curfew, as determined by DOC.
15. Report to DOC all law enforcement contacts within 24 hours of occurrence.

PROVIDED, that Mr. Clark shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

Conditional Commutation as provided below. If Mr. Clark is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Clark to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Clark if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Clark violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Clark will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Clark has provided to the Office of the Governor or, if Mr. Clark is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Clark submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Clark 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 determination on whether Mr. Clark has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Clark 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, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Clark will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Clark 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. Clark may abscond if not detained. If detained, Mr. Clark 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 this 19th day of November, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
RICHARD WILLIAM REEVES

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1990, a jury found Richard William Reeves guilty of FIRST DEGREE ASSAULT in King County Superior Court, Case No. 90-1-05223-7. Mr. Reeves, then 18 years old, was involved in an argument with a group of several men that escalated to the point that he pulled a handgun and fired it in the direction of some of the men. Nobody was injured.

WHEREAS, Mr. Reeves served his sentence, which included 82 months in custody.

WHEREAS, Mr. Reeves accepts full responsibility for his past conduct and expresses remorse. He has had no criminal convictions since then.

WHEREAS, after Mr. Reeves served his sentence, he returned to school and completed his undergraduate education. He has since launched several successful businesses.

WHEREAS, Mr. Reeves is married with three children, and he has also served as a foster parent.

WHEREAS, at the time of this criminal behavior in 1990, Mr. Reeves was a teenager who had just turned 18 years old. The scientific and criminal justice communities have documented the difficulty the teenage brain has in engaging in behavior control, often leading teenagers to exhibit a transient rashness, proclivity for risk, and inability to assess the full consequences of their actions.

WHEREAS, in June 2018, the Clemency and Pardons Board reviewed Mr. Reeves' petition for a pardon. The testimony before the Board was that Mr. Reeves has matured since this criminal behavior, earning an undergraduate degree, building a career, raising a family, and serving his community, particularly youth.

WHEREAS, neither the King County Prosecuting Attorney, nor any of the victims of Mr. Reeves' criminal activity oppose his petition.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that Mr. Reeves receive a pardon, citing his contributions to his community, and his serving as a foster parent.

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 Richard William Reeves this pardon for his FIRST DEGREE ASSAULT conviction, King County Superior Court, Case No. 90-1-05223-7.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of November, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
ELEANER FERN JOHNSON

To All to Whom These Presents Shall Come, Greetings:
WHEREAS, in 1986, Eleanor Fern Johnson pleaded guilty to THIRD DEGREE ASSAULT in King County Superior Court, Case No. 86-1-00303-3. The conviction followed events in 1985,

in which Ms. Johnson disciplined her young son for misbehaving at school, whipping him with an extension cord.

WHEREAS, Ms. Johnson served her sentence, which included community service, community supervision, counseling.

WHEREAS, Ms. Johnson accepts full responsibility for her past conduct and expresses remorse. She has had no criminal convictions since then.

WHEREAS, Ms. Johnson has worked as a Licensed Nursing Assistant for over 30 years, and she is registered in three states. She continues to provide support for her family.

WHEREAS, in June 2018, the Clemency and Pardons Board reviewed Ms. Johnson's petition for a pardon. The testimony before the Board was that Ms. Johnson desires this pardon because this conviction limits her professional opportunities as a Licensed Nursing Assistant, and as a result, curbs her ability to support her family.

WHEREAS, neither King County Prosecuting Attorney, nor the victim opposes her petition.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that Ms. Johnson receive a pardon, citing the ongoing burden this conviction places on her livelihood and her ability to support her family, as well as her lack of criminal offenses since this crime.

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 Eleanor Fern Johnson this pardon for her THIRD DEGREE ASSAULT conviction, King County Superior Court, Case No. 86-1-00303-3.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of November, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/

Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
RONALD WALTER HAWS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1993, Ronald Walter Haws pleaded guilty to THIRD DEGREE CHILD MOLESTATION in Pierce County Superior court, Case No. 92-1-03921-6. The conviction followed earlier events, in which Mr. Haws inappropriately touched his teenage daughter's breasts several times.

WHEREAS, Mr. Haws served his sentence, which included nine months in custody. He completed a 36-month sex offender treatment program and 36 months of additional therapy. He also provided for his daughter's therapy and counseling.

WHEREAS, Mr. Haws accepts full responsibility for his past conduct and expresses remorse. He has had no criminal convictions since then. He continues to be married to his wife of 40 years.

WHEREAS, Mr. Haws is a veteran of the United States armed forces, and he is a regular blood donor, having donated more than 34 gallons of blood. He also serves as a deacon at his church.

WHEREAS, in June 2018, the Clemency and Pardons Board reviewed Mr. Haws' petition for a pardon. The testimony before the Board was that Mr. Haws seeks this pardon so that he may practice his ministry within the prison system.

WHEREAS, the victim testified in support of Mr. Haws' petition at the hearing, and the Pierce County Prosecuting Attorney does not oppose the petition.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that Mr. Haws receive a pardon, citing the support and persuasive testimony of Mr. Haws' victim-daughter. The Board also cited the age of the case, as well as Mr. Haws' own advanced age.

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 Ronald Water Haws this pardon for her THIRD DEGREE CHILD MOLESTATION conviction, Pierce County Superior Court, Case No. 92-1-03921-6.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of November, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/

Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
JOHN DOUGLAS GREMS

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1989, John Douglas Grems pleaded guilty to FOURTH DEGREE ASSAULT - DOMESTIC VIOLENCE in Clark County District Court, Case No. 118164 CLS. The conviction followed a 1988 incident in which, during an argument, Mr. Grems slapped his then-wife as she screamed at him and after she called him a pejorative name.

WHEREAS, Mr. Grems served his sentence, which included three days in jail, two years of probation, and six months of anger management.

WHEREAS, Mr. Grems accepts full responsibility for his past conduct and expresses remorse. He has had no criminal convictions since then.

WHEREAS, in the years since this conviction, Mr. Grems has pursued higher education, earning associates degrees from Clark College. He has remarried and has a step son, and he is active in numerous community organizations.

WHEREAS, in June 2018, the Clemency and Pardons Board reviewed Mr. Grems' petition for a pardon. The testimony before the Board was that Mr. Grems seeks this pardon in part because he believes it will allow him to pursue more stable job opportunities.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

WHEREAS, the Clark County Prosecuting Attorney does not oppose Mr. Grems' petition, nor does the victim.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that

Mr. Grems receive a pardon, citing his lack of criminal history since this offense and Mr. Grems' completion of an anger management treatment program following his conviction.

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 John Douglas Grems this pardon for her FOURTH DEGREE ASSAULT – DOMESTIC VIOLENCE in Clark County District Court, Case No. 118164 CLS.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of November, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor



/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
IVANA LORICA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, over ten months from 2000 to 2001, Ivana Zorica, created false customer accounts at her employer, Sears Roebuck. She used these false accounts to steal over \$20,000 from the company.

WHEREAS, in 2003 she pleaded guilty to FIRST DEGREE THEFT in Spokane County Superior Court, Cause No. 03-1-00865-7. The trial court sentenced Ms. Zorica to 10 days of community service, 12 months supervision, and over \$20,000 in restitution, fines, and fees.

WHEREAS, Ms. Zorica has accepted full responsibility for her actions and completed all of her sentence requirements, including repaying over \$20,000. Ms. Zorica is now married and has a family. She has earned her master's degree in social work and now works as a clinical social worker.

WHEREAS, this criminal conviction is the only one on Ms. Zorica's record.

WHEREAS, in September 2018, the Clemency and Pardons Board reviewed Ms. Zorica's petition for a pardon. The testimony before the Board was that Ms. Zorica was raised in a setting in which she lacked strong positive influences. Since this criminal incident, she has worked to be a leader and contributor in her family, profession, and community.

WHEREAS, due to Ms. Zorica's conviction, she now faces the possibility of imminent deportation from the United States to the Czech Republic, a country from which she immigrated at the age of six with her family.

WHEREAS, Ms. Zorica received support from her family, colleagues, and others before the Clemency and Pardons Board, either in person or in writing. The Spokane County Prosecuting

Attorney's Office does not object to Ms. Zorica's petition, nor does the victim.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Ms. Zorica receive a full pardon. In making this favorable recommendation, the Board cited her lack of any other criminal history, pursuit of education and a career in service to her community, and the detriment to her family and community in the event she were to be deported.

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 Ivana Zorica this FULL AND UNCONDITIONAL pardon of her conviction for FIRST DEGREE THEFT in Spokane County Superior Court, Cause No. 03-1-00865-7.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 22nd day of October, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor



/s/
Mark Neary
Assistant Secretary of State

CONDITIONAL COMMUTATION
OF
JOHN RAYMOND WILSON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1996, a jury found John Raymond Wilson guilty of SECOND DEGREE ROBBERY in King County Superior Court Cause No. 96-1-00449-5. The conviction followed events in which Mr. Wilson entered a grocery store, confronted the cashier, and stole cash and other items.

WHEREAS, this robbery conviction followed other earlier robbery convictions, resulting in Mr. Wilson being sentenced to life in prison without the possibility of parole under Washington's persistent offender statute.

WHEREAS, Mr. Wilson has served 22 years in prison on this conviction. He is now 72 years old and suffers from more than one chronic medical condition requiring ongoing medical treatment.

WHEREAS, in March 2018, the Clemency and Pardons Board reviewed Mr. Wilson's clemency petition. The testimony before the Board was that Mr. Wilson is a veteran and has the support of the Veterans Administration. He has completed Smart Recovery and is now participating in additional chemical dependency treatment.

WHEREAS, Mr. Wilson has identified supportive transitional housing options, including through Mercy Housing and New Hope Baptist Church.

WHEREAS, the King County Prosecuting Attorney supports Mr. Wilson's petition.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Wilson's sentence. In making this recommendation, the Board cited the fact that no victims were physically harmed during the commission of

this crime, and that, but for his status as a persistent offender, he has already served a sentence twice the statutory maximum.

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 forgoing, 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 of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE John Raymond Wilson's 1996 sentence for his SECOND DEGREE ROBBERY conviction in King County Superior Court Cause No. 96-1-00449-5, conditioned on his written agreement to comply with all terms outlined by DOC in an in-custody transition plan, to be completed no later than February 1, 2020. During his last six months in custody, Mr. Wilson must successfully complete a DOC-approved work-release program. Following his in-custody transition, Mr. Wilson shall begin serving 36 months of DOC community supervision. During this period in custody and under community supervision, Mr. Wilson must comply with any conditions set forth by DOC and its corrections officers. These conditions shall include, but not be limited to the following:

Mr. Wilson shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Be available for contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, personal property, or social media accounts.
3. Obtain DOC-approved employment or enroll in DOC-approved educational programming, and report it to DOC along with changes in status.
4. Obtain and keep a mentor through the completion of the Urban League BEST mentoring program, as well as any other programming, as determined by DOC.
5. Connect with the U.S. Veterans Administration to secure services and programming and complete case planning as required by his case manager and/or DOC.
6. Reside in DOC-approved housing, and obtain DOC permission before changing residences or taking overnight visits away from the DOC-approved residence, even if just for one night.
7. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a given geographical area as directed by DOC.
8. Be subject to DOC curfews as well as GPS or electric home monitoring to ensure compliance with curfews or geographic compliance orders.
9. Submit to polygraph monitoring as required by DOC to monitor compliance.
10. Not operate a motor vehicle without a valid driver's license and registration.
11. Not possess firearms, ammunition, explosives, or dangerous weapons.
12. Attend and complete an anger management programming as determined by DOC.
13. Enroll and complete a chemical dependency assessment and treatment program before release from prison.
14. Enroll and complete all required aftercare as recommended by a chemical dependency professional in the community upon release to community supervision.
15. Not possess in the home, or use, alcohol or controlled substances, including marijuana or paraphernalia, without a valid physician's prescription and DOC

approval.

16. Identify and attend regular sobriety support group meetings as directed by DOC.
17. Not visit bars, taverns, or other establishments in which alcohol is the primary commodity being sold, unless approved by DOC.
18. Be subject to regular drug and alcohol testing as directed by DOC.
19. Not associate with known criminals or gang members, as directed by DOC.
20. Avoid known drug-use areas, or known areas of prostitution as determined by DOC.
21. Report to DOC all law enforcement contacts within 24 hours of occurrence.

PROVIDED, that Mr. Wilson shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Wilson is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Wilson to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Wilson if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Wilson violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Wilson will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Wilson has provided to the Office of the Governor or, if Mr. Wilson is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Wilson submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Wilson 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 determination on whether Mr. Wilson has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Wilson 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, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Wilson will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Wilson 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. Wilson may abscond if not detained. If detained, Mr. Wilson will be provided a preliminary hearing, as promptly as convenient after

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

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 this 26th day of July, A.D., two thousand and nineteen.



/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

CONDITIONAL COMMUTATION
OF
LARRY RAYMOND STAPLETON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1996, a jury found Larry Raymond Stapleton guilty of SECOND DEGREE ROBBERY in Spokane County Superior Court Cause No. 94-1-2336-6. The conviction followed events in which Mr. Stapleton entered a convenience store, confronted the store clerk, and stole some goods and cash.

WHEREAS, this robbery conviction followed two other earlier robbery convictions, resulting in Mr. Stapleton being sentenced to life in prison without the possibility of parole under Washington's persistent offender statute.

WHEREAS, Mr. Stapleton has served over 22 years in prison on this conviction.

WHEREAS, in March 2018, the Clemency and Pardons Board reviewed Mr. Stapleton's clemency petition. The testimony before the Board was that Mr. Stapleton finally achieved sobriety during his incarceration. He is now 56 years old and suffers from chronic health issues stemming from a heart attack and stroke that he suffered earlier this year.

WHEREAS, Mr. Stapleton maintains strong familial ties, and he has arranged to initially transition from custody to live with his sister in Spokane, where he will stay until he completes his physical recovery. He will then enter into transitional housing through Revive and Reentry Services.

WHEREAS, the Spokane County Prosecuting Attorney does not oppose Mr. Stapleton's petition.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Stapleton's sentence. In making this recommendation, the Board cited Mr. Stapleton's efforts to overcome his addictions, his familial ties, and the fact that no victims were physically harmed during the commission of this crime.

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 Larry Raymond Stapleton's 1996 sentence for his SECOND DEGREE ROBBERY conviction in Spokane County Superior Court Cause No. 94-1-2336-6, conditioned on his written agreement to comply with all terms outlined by DOC in an in-custody transition plan, to be completed no later than February 1, 2020. During his last six months in custody, Mr. Stapleton must successfully complete a DOC-approved work-

release program. Following his in-custody transition, Mr. Stapleton shall begin serving 36 months of DOC community supervision. During this period in custody and under community supervision, Mr. Stapleton must comply with any conditions set forth by DOC and its corrections officers. These conditions shall include, but not be limited to the following:

Mr. Stapleton shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Be take steps to be pre-screened for eventual placement in transitional housing.
3. Be available for contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, or personal property.
4. Obtain DOC-approved employment or enroll in DOC-approved educational programming, and report it to DOC.
5. Complete the Thinking for Change program while on community supervision.
6. Complete community work crew programming as determined necessary by DOC.
7. Reside in DOC-approved housing, and obtain DOC permission before changing residences or taking overnight visits away from his DOC-approved residence, even if just for one night.
8. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a geographical area as directed by DOC.
9. Comply with any DOC-assigned curfews.
10. Not possess firearms, ammunition, explosives, or dangerous weapons.
11. Upon completion of work release, be required to immediately enroll and complete an intensive outpatient chemical dependency community treatment program.
12. Not possess or use alcohol or any controlled substances, including marijuana, without a valid physician's prescription and DOC approval.
13. Attend regular sobriety support group meetings as directed by DOC.
14. Not-visit bars, taverns, or other establishments in which alcohol is the primary commodity being sold, unless approved by DOC.
15. Be subject to regular drug and alcohol testing as directed by DOC.
16. Not associate with known criminals or gang members.
17. Avoid known drug-use areas, as determined by DOC.
18. Report to DOC all law enforcement contacts within 24 hours of occurrence.

PROVIDED, that Mr. Stapleton shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Stapleton is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Stapleton to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Stapleton if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Stapleton violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Stapleton will be immediately

returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor’s intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Stapleton has provided to the Office of the Governor or, if Mr. Stapleton is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Stapleton submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Stapleton 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 determination on whether Mr. Stapleton has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Stapleton 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, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Stapleton will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Stapleton 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. Stapleton may abscond if not detained. If detained, Mr. Stapleton 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 this 18th day of July, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
KENNETH CRAIG CASON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in December 1995, Kenneth Craig Cason – then 17 years old – with his young cousin, broke into a pawn shop and stole three firearms. He pleaded guilty to FIRST DEGREE BURGLARY and three counts of FIREARM THEFT in Clark County Cause No. 96-1-00485-5.

WHEREAS, Mr. Cason served the full 41 months in prison on these convictions. He has no other felony criminal convictions on his record, and he has since married and raised three children.

WHEREAS, in March 2018, the Clemency and Pardons Board reviewed Mr. Cason’s petition for a pardon. The testimony

before the Board was that Mr. Cason is a committed volunteer in his community and to local urban youth.

WHEREAS, Mr. Cason explains that these convictions encumber his pursuit of work in various career fields, specifically work with juveniles.

WHEREAS, Mr. Cason received support from his family and the community organizations for which he volunteers. The Clark County Prosecuting Attorney’s Office did not object to Mr. Cason’s petition, nor did any victims.

WHEREAS, the Clemency and Pardons Board voted 3-1 to recommend that Mr. Cason receive a full pardon. In making this favorable recommendation, the Board cited his dedication to the youth in his community, his lack of recent criminal record, and the fact that no victim was physically harmed during the incident.

WHEREAS, at the time of his crime in 1995, Mr. Cason was just 17 years old. The scientific and criminal justice communities have documented the difficulty the juvenile brain has in engaging in behavior control, often leading juveniles to exhibit a transient rashness, proclivity for risk, and inability to assess the full consequences for their actions.

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 Kenneth Craig Cason this FULL AND UNCONDITIONAL pardon of his conviction for FIRST DEGREE BURGLARY and three counts of FIREARM THEFT in Clark County Cause No. 96-1-00485-5.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th day of July, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
STEPHEN GLENN EDMISON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1990, Stephen Glenn Edmison was found guilty of FOURTH DEGREE

ASSAULT-DOMESTIC VIOLENCE in Kitsap County Superior Court, Cause No. K-90-03705-S, after he violated a no-contact order to see his then-wife. He then proceeded to approach her and wrap his arms around her.

WHEREAS, Mr. Edmison has no other criminal convictions on his record.

WHEREAS, in March 2018, the Clemency and Pardons Board reviewed Mr. Edmison’s petition for a pardon. Testimony before the Board included that of his daughter, a witness to the assault in question, who testified in staunch support of her father.

WHEREAS, Mr. Edmison is a disabled Vietnam veteran, and a cancer survivor. He has since remarried.

WHEREAS, Mr. Edmison states that this conviction encumbers his desire to participate fully in military veteran ceremonies and funerals.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

WHEREAS, the Clark County Prosecuting Attorney’s Office does not object to Mr. Edmison’s petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Edmison receive a full pardon. In making this favorable recommendation, the Board cited the persuasiveness of his daughter’s favorable testimony.

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 Stephen Glenn Edmison this FULL AND UNCONDITIONAL pardon of his conviction for FOURTH DEGREE ASSAULT – DOMESTIC VIOLENCE in Kitsap County Superior Court, Cause No. K-90-03705-S.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th day of July, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
SOPHY FRANK HEM

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in May 1997, Sophy Frank Hem, then 16 years old, was living in a community among known violent gang members. One day, during a confrontation with a gang member who brandished a firearm; Mr. Hem brandished his own firearm and fired a shot.

WHEREAS, he pleaded guilty to SECOND DEGREE ASSAULT, FIRST DEGREE UNLAWFUL FIREARM POSSESSION, and DRIVE-BY SHOOTING in Pierce County Superior Court, Cause No. 97-1-2299-3. The trial court sentenced Mr. Hem to 34 months in prison.

WHEREAS, Mr. Hem has accepted full responsibility for his actions and completed all of his sentence requirements. Following this incident, Mr. Hem married and started a family, which he has worked full time to support. He is also heavily involved in his community.

WHEREAS, in June 2018, the Clemency and Pardons Board reviewed Mr. Hem’s petition for a pardon. The testimony before the Board was that Mr. Hem provides financial and emotional support to his family, which includes a wife and two children, one of whom experiences health issues relating to his premature birth.

WHEREAS, due to Mr. Hem’s conviction, he now faces the possibility of imminent deportation from the United States to Cambodia, a country from which he immigrated as a baby with his family.

WHEREAS, Mr. Hem received support from his wife, family, and others before the Clemency and Pardons Board either in person or in writing. The Pierce County Prosecuting Attorney’s Office does not object to Mr. Hem’s petition, nor does the victim.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Hem receive a full pardon. In making this favorable recommendation, the Board cited his family’s reliance on his support, his connection to his community, and the fact that he now faces deportation to a country that he does not know.

WHEREAS, at the time of his crime in 1997, Mr. Hem was just 16 years old. The scientific and criminal justice communities have documented the difficulty the brain has in engaging in behavior control, often leading juveniles to exhibit a transient rashness, proclivity for risk, and inability to assess the full consequences of their actions.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Stephen Glenn Edmison this FULL AND UNCONDITIONAL pardon of his conviction for FOURTH DEGREE ASSAULT – DOMESTIC VIOLENCE and in Kitsap County Superior Court, Cause No. K-90-03705-S.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 9th day of July, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

AMENDED FULL AND UNCONDITIONAL PARDON
OF
MAURICE RATTRAY III

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1975, Maurice Rattray III, pleaded guilty to ATTEMPTED SECOND DEGREE BURGLARY in King County Superior Court No. 72077. This conviction followed after Mr. Rattray, then a 19-year old college student, unsuccessfully break into another’s home.

WHEREAS, Mr. Rattray pleaded guilty to the offense and was given a deferred sentence which he was later dismissed and vacated, pursuant to his sentence, in 1978.

WHEREAS, Mr. Rattray accepts full responsibility for his actions and completed all of his sentence requirements. This is the only criminal conviction on Mr. Rattray’s record.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Rattray’s petition for a pardon. The testimony before the Board was that Mr. Rattray went on to complete his civil engineering degree at the University of Washington and later an MBA.

WHEREAS, Mr. Rattray has spent his career working on public sector transit projects. He currently lives in California and testified that he would like to pursue employment opportunities at Sound Transit, but this felony may preclude him from passing background check.

WHEREAS, Mr. Rattray also testified that he would like to recreate and travel internationally with his family, including his two children, but this felony poses challenges.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor grant Mr. Rattray a full pardon. In supporting Mr. Rattray’s petition, the Board cited his otherwise spotless record, the fact that his conviction was dismissed and vacated under the terms of his sentence, and his contributions to his community and profession.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding the matter, 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 Maurice Rattray III this FULL AND UNCONDITIONAL pardon of his conviction for ATTEMPTED SECOND DEGREE BURGLARY King County Cause No. 72077.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 20th day of June, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

CONDITIONAL COMMUTATION
OF
DWIGHT ANTHONY GRIFFIN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, after a trial, a jury found Dwight Anthony Griffin guilty of ATTEMPTED FIRST DEGREE ROBBERY in Snohomish County Superior Court Cause No. 94-1660-1. The conviction followed events in 1994 when Mr. Griffin accosted a woman walking to the bank to deposit cash. He attempted to wrestle her bag from her, but she resisted and he was unsuccessful.

WHEREAS, this robbery conviction followed earlier robbery convictions, resulting in Mr. Griffin being sentenced to life in prison without the possibility of parole under Washington's persistent offender statute.

WHEREAS, Mr. Griffin has served over 23 years in prison on this conviction.

WHEREAS, in December 2017, the Clemency and Pardons Board reviewed Mr. Griffin's clemency petition. The testimony before the Board was that Mr. Griffin finally achieved sobriety in 2009. He is now 65 years old and suffers from chronic health issues and is permanently partially disabled.

WHEREAS, Mr. Griffin remains married to his wife of over 30 years, and upon release, Mr. Griffin plans to return to live with her in Lynnwood. His adult sons are also still in his life.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Mr. Griffin's sentence. In making this recommendation, the Board cited Mr. Griffin's long sentence, strong family ties, the fact that he never used weapons, and his sobriety. 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 Dwight Anthony Griffin's sentence for his 1994 conviction for ATTEMPTED FIRST DEGREE ROBBERY in Snohomish County Superior Court Cause No. 94-1-660-1,

conditioned on his written agreement to comply with all terms outlined by DOC in an in-custody transition plan, to be completed no later than September 1, 2019. During his last six months in custody, Mr. Griffin must successfully complete a DOC-approved work release program. Following his in-custody transition, Mr. Griffin shall begin serving 36 months of DOC community supervision. During this period in custody and under community supervision, Mr. Griffin must comply with any conditions set forth by DOC and its corrections officers. These conditions shall include, but not be limited to the following:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Be available for contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, or personal property.
3. Submit to polygraph and social media monitoring.
4. Obtain DOC-approved employment or enroll in DOC-approved educational programming, and report it to DOC.
5. Reside in DOC-approved housing, and obtain DOC permission before changing residences or taking overnight visits away from his DOC-approved residence, even if just for one night.
6. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a geographical area as directed by DOC.
7. Comply with any DOC-assigned curfews.
8. Not possess firearms, ammunition, explosives, or dangerous weapons.
9. Not operate a motor vehicle without a valid driver's license, registration, and proper insurance.
10. Obtain a mental health evaluation and follow any prescribed treatment plans or recommendations.
11. Attend/complete an appropriate anger/aggression management program as determined by DOC.
12. Complete a chemical dependency and substance abuse treatment assessment and follow DOC recommendations relating to substance abuse counseling.
13. Not possess or use alcohol or any controlled substances, including marijuana, without a valid physician's prescription and DOC approval.
14. Attend regular sobriety support group meetings.
15. Not visit bars, taverns, or other establishments in which alcohol is the primary commodity being sold, unless approved by DOC.
16. Be subject to regular drug and alcohol testing as directed by DOC.
17. Not associate with known criminals or gang members.
18. Avoid known drug-use areas, as determined by DOC.
19. Report to DOC all law enforcement contacts within 24 hours of occurrence.

PROVIDED, that Mr. Griffin shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Griffin is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Griffin to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Griffin if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Griffin violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Griffin will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Griffin has provided to the Office of the Governor or, if Mr. Griffin is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Griffin submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Griffin 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 determination on whether Mr. Griffin has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Griffin 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, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Griffin will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Griffin 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 the Mr. Griffin may abscond if not detained. If detained, Mr. Griffin 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 this 4th day of May, A.D., two thousand and nineteen.



/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

CONDITIONAL COMMUTATION
OF
TINA LEE WEAVER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1999 Tina Lee Weaver pleaded guilty to ATTEMPTED SECOND DEGREE MURDER, SECOND DEGREE ASSAULT, and SECOND DEGREE KIDNAPPING in Pierce County Superior Court Cause No. 99-1-696-0. The conviction followed even in 1999 when Ms. Weaver removed her neighbor's daughter from her home, took her to a motel, bound her to a chair, and then called the woman's mother and threatened to kill her daughter.

WHEREAS, these convictions resulted in Ms. Weaver being sentenced to over 24 years in prison. Currently, her scheduled earned release date is in February 2021.

WHEREAS, this is the only criminal conviction on Ms. Weaver's record, and she has had no prison infractions since 2003.

WHEREAS, in December 2017, the Clemency and Pardons Board reviewed Ms. Weaver's clemency petition. The testimony before the Board was that Ms. Weaver has strong support in the community. She has shown honest remorse for her crime and has been a model prisoner, demonstrating a commitment to rehabilitation.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor commute Ms. Weaver's sentence. In making this recommendation, the Board cited her remorse, good behavior in custody, commitment to rehabilitation, upcoming release date, and community support. 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 Tina Lee Weaver's sentence for her 1999 convictions for ATTEMPTED SECOND DEGREE MURDER, SECOND DEGREE ASSAULT, and SECOND DEGREE KIDNAPPING in Pierce County Superior Court Cause No. 99-1-696-0, conditioned on her written agreement to comply with all terms outlined by DOC in an in-custody transition plan, to be completed no later than September 1, 2019. During her last six months in custody, Ms. Weaver must successfully complete a DOC-approved work release program. Following her in-custody transition, Ms. Weaver shall begin serving 36 months of DOC community supervision. During this period in custody and under community supervision, Ms. Weaver must comply with any conditions set forth by DOC and its corrections officers. These conditions shall include, but not be limited to the following:

Ms. Weaver shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Follow all of the originally ordered conditions imposed under Pierce County Cause No. 99-1-696-0, including no contact with Viola or Sherryl Castor or their families.
3. Be available for contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, or personal property.
4. Obtain DOC-approved employment or enroll in DOC-approved educational programming, and report it to DOC.
5. Reside in DOC-approved housing, and obtain DOC permission before changing residences or taking overnight visits away from her DOC-approved residence, even if just for one night.
6. Not travel outside her county of residence without written DOC approval, or remain in, or out of, a geographical area as directed by DOC.
7. Comply with any curfews as set by DOC.
8. Not possess firearms, ammunition, explosives, or dangerous weapons.
9. Not operate a motor vehicle without a valid driver's license, registration, and proper insurance.

10. Obtain a mental health evaluation and follow any treatment plans or recommendations.
11. Complete a chemical dependency and substance abuse treatment assessment and follow DOC recommendations relating to substance abuse counseling.
12. Not possess or use alcohol or any controlled substances, including marijuana, without a valid physician's prescription and DOC approval.
13. Not visit bars, taverns, or other establishments in which alcohol is the primary commodity being sold, unless approved by DOC.
14. Not frequent known drug areas, as determined by DOC.
15. Be subject to regular drug and alcohol testing as directed by DOC.
16. Not associate with known criminals or gang members.
17. Report to DOC all law enforcement contacts within 24 hours of occurrence.

PROVIDED, that Ms. Weaver shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of her community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Ms. Weaver is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Ms. Weaver to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Ms. Weaver if she violates a condition.

ADDITIONALLY PROVIDED, that in the event Ms. Weaver violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Ms. Weaver will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Ms. Weaver has provided to the Office of the Governor or, if Ms. Weaver is in custody, to her place of detention. If within 14 calendar days of the mailing of the notice, Ms. Weaver submits a sworn statement made under penalty of perjury that she has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Ms. Weaver an opportunity to be heard and to present witnesses and documentary evidence that she 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 determination on whether Ms. Weaver has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Ms. Weaver 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, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Ms. Weaver will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Ms. Weaver 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 she 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 Ms. Weaver may abscond if not detained. If detained, Ms. Weaver will be provided a preliminary hearing, as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe she 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 this 4th day of May, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

CONDITIONAL COMMUTATION
OF
ROBBIE WILLIAM BURTON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, after a trial, a jury found Robbie William Burton guilty of FIRST DEGREE ROBBERY and TAKING A MOTOR VEHICLE WITHOUT THE OWNER'S PERMISSION in Yakima County Superior Court Cause No. 95-1-1102-6. The conviction followed events in 1995 when Mr. Burton and an accomplice stole a car and then used it to conduct a bank robbery.

WHEREAS, this robbery conviction followed earlier robbery convictions, resulting in Mr. Burton being sentenced to life in prison without the possibility of parole under Washington's persistent offender statute.

WHEREAS, Mr. Burton is now 64 years old and has served over 22 years in prison on this conviction.

WHEREAS, in September 2017, the Clemency and Pardons Board reviewed Mr. Burton's clemency petition. The testimony before the Board was that Mr. Burton's past criminal behavior was fueled by substance addiction, and he has since achieved sobriety in prison through addiction support groups.

WHEREAS, upon release, Mr. Burton plans to return to Yakima to live with family, and he has secured employment at the auto dealership where he worked before this conviction and sentence.

WHEREAS, the victim supports Mr. Burton's petition. Mr. Burton also has the support of former Secretary of the Washington State Department of Corrections Dan Pacholke.

WHEREAS, the Clemency and Pardons Board voted to recommend that the Governor commute Mr. Burton's sentence. In making this recommendation, the Board cited Mr. Burton's age, the fact that he has secured employment and never physically hurt anyone in the commission of the crime, and the victim's support. 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 Robbie William Burton's sentence for his 1995 conviction for FIRST DEGREE ROBBERY and TAKING A MOTOR VEHICLE WITHOUT THE OWNER'S PERMISSION

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

in Yakima County Superior Court Cause No. 95-1-1102-6, conditioned on his written agreement to comply with all terms outlined by DOC in an in-custody transition plan, to be completed no later than September 1, 2019. During his last six months in custody, Mr. Burton must successfully complete a DOC-approved work release program. Following his in-custody transition, Mr. Burton shall begin serving 36 months of DOC community supervision. During this period in custody and under community supervision, Mr. Burton must comply with any conditions set forth by DOC and its corrections officers. These conditions shall include, but not be limited to, the following:

Mr. Burton shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Obtain a mental health evaluation and follow any treatment plans or recommendations as ordered by DOC.
3. Be available for contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of his person, automobiles, or personal property.
4. Submit to DOC monitoring of his social media accounts.
5. Obtain DOC-approved employment or enroll in DOC-approved educational programming, and report it to DOC.
6. Reside in DOC-approved housing, and obtain DOC permission before changing residences or taking overnight visits away from his DOC-approved residence, even if just for one night.
7. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a geographical area as directed by DOC.
8. Not possess firearms, ammunition, explosives, or dangerous weapons.
9. Not operate a motor vehicle without a valid driver's license and proper registration and insurance.
10. Not enter a bank without a legitimate reason or having a valid account.
11. Complete a chemical dependency and/or substance abuse treatment assessment and follow DOC recommendations relating to substance abuse counseling and/or treatment.
12. Not possess or use alcohol or any controlled substances, including marijuana, without a valid physician's prescription and DOC approval.
13. Not visit bars, taverns, or other establishments in which alcohol is the primary commodity being sold, unless approved by DOC.
14. Not frequent known drug areas, as decided by DOC.
15. Be subject to regular drug and alcohol testing as directed by DOC.
16. Regularly participate in a substance abuse support group as approved by DOC.
17. Not associate with known criminals and/or known gang members.
18. Report to DOC all law enforcement contacts within 24 hours of occurrence.

PROVIDED, that Mr. Burton shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Burton is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Burton to perform affirmative acts deemed appropriate to monitor

compliance with the conditions and may issue warrants or detain Mr. Burton if he violates a condition.

ADDITIONALLY PROVIDED, that in the event that Mr. Burton violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Burton will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Burton has provided to the Office of the Governor or, if Mr. Burton is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Burton submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Burton an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Conditional Commutation 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 determination on whether Mr. Burton has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Burton 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, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Burton will immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Burton 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. Burton may abscond if not detained. If detained, Mr. Burton 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 this 4th day of May, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

AMENDED CONDITIONAL COMMUTATION
OF
LE'TAXIONE

To All to Whom These Presents Shall Come, Greetings:
WHEREAS, in 1998 Le'Taxione (Ernest A. Carter) was found guilty of two counts of FIRST DEGREE ROBBERY, Pierce County Superior Court Cause No. 97-1-04547-1. In 1997,

Le'Taxione entered and then, pretending he had a weapon, held up a Tacoma Subway, before then holding p and AM/PM. Between these two robberies, Le'Taxione took roughly \$200 from the cashiers.

WHEREAS, this offense qualified Le'Taxione as a "Three Strikes" persistent offender and resulted in a life sentence. In addition to this conviction, Le'Taxione was convicted of assaulting a police officer in California in 1983, and also attempted murder with a firearm in 1990 in Oregon.

WHEREAS, in December 2015, the Clemency and Pardons Board reviewed Le'Taxione's clemency petition. It voted unanimously to recommend that the Governor commute Le'Taxione's sentence.

WHEREAS, on December 21, 2016, I commuted Le'Taxione's life sentence, conditioned on his completion of a work release program and compliance with a series of terms of supervision.

WHEREAS, while on work release in December 2017, Le'Taxione refused a urinalysis test and failed an alcohol breath analysis test, blowing a .04. At a January 2018 hearing, a hearing officer found that Le'Taxione violated the terms of his work release by failing the breath analysis test. In March 2018, a different hearing officer found that through these actions, Le'Taxione twice violated the terms of his Conditional Commutation.

WHEREAS, before these violations, Le'Taxione earned a strong reputation in his work release program. He has been characterized as a "great and dependable worker" and "pleasant and respectful." 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, AMEND the December 21, 2016 CONDITIONAL

COMMUTATION of Le'Taxione's sentence for his 1998 conviction for two counts of FIRST DEGREE ROBBERY, conditioned on his written agreement to comply with all terms outlined by the DOC in a transition plan in which Le'Taxione will be released from prison no later than October 15, 2018. During this period, Le'Taxione must complete DOC-recommended substance abuse evaluation to inform possible substance abuse treatments. And at some point during these six months in custody, Le'Taxione must successfully complete a DOC-approved work release program. Following his release from custody, Le'Taxione shall serve 24 months of DOC community supervision. During this period under DOC custody and supervision, Le'Taxione must comply with any conditions set forth by DOC and its community corrections officers (CCOs). These conditions shall include, but not be limited to the following:

Le'Taxione shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC or his CCO.
2. Be available for contact with DOC and his assigned CCO as directed, and consent to DOC home or hospital visits and or searches, to also include searches of his person or automobiles, to monitor compliance with supervision. These visits must include access for visual inspection of all areas of the residence in which Le'Taxione has exclusive or joint control or access, and includes the securing of dangerous animals.
3. Obtain legal verifiable employment or enroll in

educational programming, and report it to his CCO.

4. Obtain written permission from his CCO before traveling outside his county of residence.
5. Obtain permission from his CCO before changing residences, even for one night.
6. Not own, possess, receive, ship, or transport firearms, ammunition, explosives, or dangerous weapons. He may not possess body armor.
7. Report to his CCO all law enforcement contacts within 24 hours of occurrence.
8. Not consume, possess, or distribute alcohol or controlled substances without a valid physician's prescription.
9. Not visit bars, taverns, or other establishments in which alcohol is the primary item being served, unless he receives approval from his CCO.
10. Obtain a Narcotics Anonymous sponsor and attend regular meetings as recommended by his CCO.
11. Obtain a chemical dependency evaluation and follow all treatment recommendations.
12. Be subject to regular drug urinalysis and alcohol breath analysis as directed by his CCO.
13. Not associate with known criminals, gangs or individuals that have a criminal or gang history without first consulting his CCO.
14. Enroll in, and successfully complete any programming or treatment as directed by DOC.

PROVIDED, that Le'Taxione shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Amended Conditional Commutation as provided below. If Le'Taxione is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Le'Taxione to perform affirmative acts deemed appropriate to monitor compliance with conditions and may issue warrants or detain Le'Taxione if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Le'Taxione violates any of the conditions of this Amended Conditional Commutation, as determined by the Governor, this Amended Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon, Le'Taxione will be immediately returned to any such facility as the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Le'Taxione has provided to the Office of the Governor or, if Le'Taxione is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Le'Taxione submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Amended Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Le'Taxione an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Amended Conditional Commutation 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 determination on whether Le'Taxione has violated the terms of this Amended Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Le'Taxione 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, this Amended Conditional Commutation may be revoked and the sentence of the court

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

reinstated, whereupon Le'Taxione will immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Le'Taxione may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Amended Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Amended 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 Le'Taxione may abscond if not detained. If detained, Le'Taxione 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 this 10th day of April, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL
OF
MAURICE RATTRAY III

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1975, Maurice Rattray III, pleaded guilty to ATTEMPTED SECOND DEGREE ROBBERY in King County Superior Court No. 72077. This conviction followed after Mr. Rattray, then a 19-year old college student, unsuccessfully attempted to break into another's home.

WHEREAS, Mr. Rattray pleaded guilty to the offense and was given a deferred sentence, which he was later dismissed and vacated, pursuant to his sentence, in 1978.

WHEREAS, Mr. Rattray accepts full responsibility for his actions and completed all of his sentence requirements. This is the only criminal conviction on Mr. Rattray's record.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Rattray's petition for a pardon. The testimony before the Board was that Mr. Rattray went on to complete his civil engineering degree at the University of Washington and later an MBA.

WHEREAS, Mr. Rattray has spent his career working on public sector transit projects. He currently lives in California and testified that he would like to pursue employment opportunities at Sound Transit, but this felony may preclude him from passing a background check.

WHEREAS, Mr. Rattray also testified that he would like to recreate and travel internationally with his family, including his two children, but this felony poses challenges.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor grant Mr. Rattray a full pardon. In supporting Mr. Rattray's petition, the Board cited his otherwise spotless record, the fact that his conviction was dismissed and vacated under the terms of his sentence, and his contributions to his community and profession.

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 Maurice Rattray III this FULL AND UNCONDITIONAL pardon of his conviction for ATTEMPTED SECOND DEGREE ROBBERY, King County Cause No. 72077.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 15th day of March, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
HITACHI KELVIN ANTONIO

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2003, Hitachi Kelvin Antonio pleaded guilty to POSSESSION OF MARIJUANA WITH INTENT TO DELIVER in Pierce County Superior Court, Cause No. 03-1-5298-3. The court sentenced Mr. Antonio to four months in jail and \$710 in restitution, costs, and fees.

WHEREAS, Mr. Antonio accepts responsibility for his conduct. He served his sentence and paid the court-ordered restitution, costs, and fees.

WHEREAS, in 1996 Mr. Antonio immigrated to the United States from the Philippines as a teenager. He obtained permanent resident alien status in 1998. He later applied to become a United States citizen, but he was denied; and this 2003 conviction has ultimately let to removal proceedings against him.

WHEREAS, Mr. Antonio has not had any criminal convictions since 2005, when he was convicted of reckless driving.

WHEREAS, the Pierce County Prosecuting Attorney does not oppose Mr. Antonio's petition.

WHEREAS, in September 2017, the Clemency and Pardons Board reviewed Mr. Antonio's petition for a pardon, which described how Mr. Antonio has been steadily employed for over a decade, and he is married and raising two young children. Mr. Antonio believes that a pardon will end his pending removal proceedings and allow him to continue to live and work in the United States.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Antonio be granted a full pardon, reasoning that he has taken responsibility for his past conduct and has lived crime-free for many years; he maintains strong connections to his community; and, his removal would be extremely challenging, not only to him, but also his family.

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 Hitachi Kelvin Antonio this FULL AND UNCONDITIONAL pardon of his conviction for POSSESSION OF MARIJUANA

WITH INTENT TO DELIVER, Pierce County Superior Court Cause No. 03-1-5298-3.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 1st day of February, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

CONDITIONAL COMMUTATION
OF
RICHARD ROBERT KENT

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, after a trial, Richard Robert Kent was found guilty of SECOND DEGREE ROBBERY in Whatcom County Superior Court Cause No. 96-1-960-4. The conviction followed events in 1996 when, while wearing a mask, Mr. Kent approached two tellers in a credit union, and demanded cash.

WHEREAS, this conviction followed two earlier robbery convictions, resulting in Mr. Kent being sentenced to life in prison without the possibility of parole under Washington 's persistent offender statute.

WHEREAS, Mr. Kent has served over 20 years on this conviction. Had he not been sentenced as a persistent offender, his maximum sentence would have been ten years.

WHEREAS, Mr. Kent is now 63 years old and is experiencing significant health problems while living in prison.

WHEREAS, in June 2017, the Clemency and Pardons Board reviewed Mr. Kent's clemency petition. The testimony before the Board was that Mr. Kent has already been accepted to FareStart, a job-training program providing housing, a months-long job training program, and other transition assistance.

WHEREAS, neither the Whatcom County Prosecuting Attorney's Office, nor any of the victims oppose Mr. Kent's petition. Similarly, Mr. Kent's sentencing judge does not oppose his petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor commute Mr. Kent's sentence. 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 Richard Robert Kent's sentence for his 1997 conviction for SECOND DEGREE ROBBERY in Whatcom County Superior Court cause No. 96I -960-4, conditioned on his written agreement to comply with all terms outlined by DOC in an in-custody transition plan, to be completed no later than May 1, 2019. During his last six months in custody, Mr. Kent must successfully complete a DOC-approved work release program. Following his in-custody transition, Mr. Kent shall be released to the FareStart program and begin serving 24 months of DOC community supervision. During this period in custody and under community supervision, Mr. Kent must comply with any

conditions set forth by DOC and its corrections officers. These conditions shall include, but not be limited to the following:

Mr. Kent shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Enroll in, and successfully complete DOC's Thinking for a Change program, as well as any other programming or treatment as directed by DOC.
3. Be available for contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, or personal property.
4. Obtain DOC-approved employment or enroll in DOC-approved educational programming, and report it to DOC.
5. Reside in DOC-approved housing, and obtain DOC permission before changing residences or taking overnight visits away from his DOC-approved residence, even if just for one night.
6. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a geographical area as directed by DOC.
7. Not possess firearms, ammunition, explosives, or dangerous weapons.
8. Not operate a motor vehicle without a valid driver's license and proper insurance.
9. Complete a chemical dependency and substance abuse treatment assessment and follow DOC recommendations relating to substance abuse counseling.
10. Not possess or use alcohol or any controlled substances, including marijuana, without a valid physician's prescription and DOC approval.
11. Not visit bars, taverns, or other establishments in which alcohol is the primary commodity being sold, unless approved by DOC.
12. Be subject to regular drug and alcohol testing as directed by DOC.
13. Not possess stolen property or unauthorized tools not associated with approved work, as determined by DOC.
14. Report to DOC all law enforcement contacts within 24 hours of occurrence.

PROVIDED, that Mr. Kent shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Kent is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Kent to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Kent if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Kent violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Kent will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Kent has provided to the Office of the Governor or, if Mr. Kent is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Kent submits a sworn statement made under penalty of perjury that he

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Kent 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 determination on whether Mr. Kent has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Kent 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, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Kent will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Kent 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. Kent may abscond if not detained. If detained, Mr. Kent 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 this 5th day of December, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

CONDITIONAL COMMUTATION
OF
LEE KENT HAMILTON

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Lee Kent Hamilton pleaded guilty to SECOND DEGREE ROBBERY and SECOND DEGREE ASSAULT in Pierce County Superior Court cause No. 95-1-4105-3, after he approached a bank teller in 1995, stated that he was armed, and demanded money.

WHEREAS, these convictions followed two earlier robbery convictions, resulting in Mr. Hamilton being sentenced to life in prison without the possibility of parole under Washington's persistent offender statute.

WHEREAS, Mr. Hamilton has served over 22 years on this conviction. Had he not been sentenced as a persistent offender, his standard range sentence would have been between five and seven years.

WHEREAS, Mr. Hamilton has had no prison infractions since 2001.

WHEREAS, Mr. Hamilton accepts full responsibility for his past criminal conduct and expresses remorse. His criminal history was largely a product of substance addiction and his need to support his habits. While in prison, Mr. Hamilton has achieved and maintained sobriety.

WHEREAS, while in prison Mr. Hamilton intervened in an inmate attack on a corrections officer and is credited with saving the life of that corrections officer.

WHEREAS, in March 2017, the Clemency and Pardons Board reviewed Mr. Hamilton's clemency petition. The testimony before the Board was that Mr. Hamilton has developed skills as a metal fabricator, machinist, and welder; and upon his eventual release, Mr. Hamilton will have the support of his family in Florida who has agreed to provide him shelter and help him transition to the community.

WHEREAS, the Pierce County Prosecuting Attorney's Office does not oppose Mr. Hamilton's petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor commute Mr. Hamilton's sentence. 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 Lee Kent Hamilton's sentence for his 1995 conviction for SECOND DEGREE ROBBERY and SECOND DEGREE ASSAULT in Pierce County Superior Court Cause No. 95-1-4105-3, conditioned on his written agreement to comply with all terms outlined by DOC in an in-custody transition plan, to be completed no later than May 1, 2019. During his last six months in custody, Mr. Hamilton must successfully complete a DOC-approved work release program. Following his release from custody, Mr. Hamilton shall serve 24 months of community supervision under DOC supervision or under the terms of an interstate compact placement to the State of Florida. During this period in custody and under community supervision, Mr. Hamilton must comply with any conditions set forth by DOC or the State of Florida and its community corrections officers (hereafter in this section, "DOC"). These conditions shall include, but not be limited to the following:

Mr. Hamilton shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Enroll in, and successfully complete DOC's Thinking for a Change program, as well as any other programming or treatment as directed by DOC.
3. Be available for contact with DOC as directed, and consent to DOC home and employment visits and/or searches, including searches of person, automobiles, or personal property.
4. Obtain DOC-approved employment or enroll in DOC-approved educational programming, and report it to DOC.
5. Reside in DOC-approved housing, and obtain DOC permission before changing residences or taking overnight visits away from his DOC-approved residence, or taking overnight visits away from his DOC-approved residence, even if for one night.
6. Not travel outside his county of residence without written DOC approval, or remain in, or out of, a geographical area as directed by DOC.
7. Not possess firearms, ammunition, explosives, or dangerous weapons.
8. Not operate a motor vehicle without a valid driver's license and proper insurance.

9. Complete a chemical dependency and substance abuse treatment assessment and follow DOC recommendations.
10. Not possess or use alcohol or any controlled substances without a valid physician's prescription.
11. Not visit bars, taverns, or other establishments in which alcohol is the primary commodity being sold, unless approved by DOC.
12. Be subject to regular drug and alcohol testing as directed by DOC.
13. Report to DOC all law enforcement contact within 24 hours of occurrence.
14. Not enter a bank without having an authorized account and prior approval from DOC.
15. Obtain DOC permission to open a bank account.

PROVIDED, that Mr. Hamilton shall remain under DOC supervision and explicitly follow the conditions established by DOC during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Hamilton is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Kent to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Kent if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Hamilton violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Hamilton will be immediately returned to any facility that the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Hamilton has provided to the Office of the Governor or, if Mr. Hamilton is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Hamilton submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Hamilton 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 determination on whether Mr. Hamilton has violated the terms of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Hamilton 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, this Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Hamilton will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Hamilton 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. Hamilton may abscond if not detained. If detained, Mr. Hamilton 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 this 5th day of December, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
EDWARD ALLEN RANEY

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, decades ago, Edward Allen Raney pleaded guilty to GRAND LARCENY in Thurston County Superior Court No. C-4574 and VIOLATION OF THE UNIFORM CONTROLLED SUBSTANCE ACT, Lewis County Superior Court No. CR82-6498. His 1973 larceny conviction arose after he had in his possession a stolen motorbike, and the 1982 drug offense was the result of his possession of marijuana for personal use.

WHEREAS, Mr. Raney accepts full responsibility for his past conduct and expresses remorse. He has satisfied all the conditions of his judgments and sentences, including the payment of roughly \$500 in court-ordered restitution and costs.

WHEREAS, Mr. Raney discontinued his use of drugs and alcohol. He has no other criminal convictions since his 1982 offense.

WHEREAS, in June 2017, the Clemency and Pardons Board reviewed Mr. Raney's petition for a pardon. At his hearing, Mr. Raney explained that he is a career miner, and he would like to transition to blasting work, which requires him to obtain federal explosives and blasting permits. He testified that with these convictions on his record, the federal government will not issue him these permits.

WHEREAS, the prosecuting attorneys for Thurston County and Lewis County do not object to Mr. Raney's petition, nor do any victims object.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Raney 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 Edward Allen Raney this FULL AND UNCONDITIONAL pardon of his conviction for GRAND LARCENY conviction in Thurston County Superior Court No. C-4574, and his VIOLATION OF THE UNIFORM CONTROLLED SUBSTANCE ACT, Lewis County Superior Court No. CR82-6498.



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

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
JOSE ARCIGA

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1984, Jose Arciga pleaded guilty to POSSESSION OF MARIJUANA WITH INTENT TO DELIVER in Yakima County Superior Court, Cause No. 84-1-173-4 The court sentenced Mr. Arciga to two years of probation and \$590 in restitution and costs.

WHEREAS, Mr. Arciga accepts responsibility for his conduct. He served his sentence and paid the court-ordered restitution and costs.

WHEREAS, in 1968 Mr. Arciga immigrated to the United States from Mexico as a teenager. He later applied to become a United States citizen, but this 1984 felony conviction prevented him from being granted citizenship. After his application seeking citizenship was denied in 2007, he was deported to Mexico.

WHEREAS, Mr. Arciga has not had any criminal convictions since 1984.

WHEREAS, the Yakima County Prosecuting Attorney does not oppose Mr. Arciga’s petition.

WHEREAS, in March 2017, the Clemency and Pardons Board reviewed Mr. Arciga’s petition for a pardon, which described how, in being deported 10 years ago, Mr. Arciga left eight children and nine grandchildren, all born in and living in the United States. Mr. Arciga’s family believes that a pardon will improve Mr. Arciga’s chances of being able to return to the United States to reunite with his family.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Arciga be granted a full pardon, reasoning that Mr. Arciga is now 64 years old, lacks a violent history, has not had a criminal conviction in over 33 years, and should have an opportunity to reunite with his family.

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 Jose Arciga this FULL AND UNCONDITIONAL pardon of his conviction for POSSESSION OF MARIJUANA WITH INTENT TO DELIVER, in Yakima County Superior Court Cause No. 84-1-173-4.



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

/s/
Jay Inslee

Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
MICHAEL LAWRENCE BRAY

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2000, a juvenile court found Michael Lawrence Bray guilty on three counts of SECOND DEGREE ROBBERY and one count of SECOND DEGREE MALICIOUS MISCHIEF, Mason County Superior Court Case No. 99-8-282-8. Over a six-month period in 1998 and 1999, Mr. Bray, then a teenager, entered buildings and took property.

WHEREAS, Mr. Bray served his sentence, which included 12 months of community supervision and 80 hours of community service. He also paid \$991.04 in court-ordered restitution and costs.

WHEREAS, Mr. Bray currently works for the Department of Corrections, and he would like to join the Department’s specialty response team at the Clallam Bay Corrections Center. But these convictions bar him from carrying a firearm, a requisite for that role.

WHEREAS, Mr. Bray accepts full responsibility for his past conduct and expresses remorse. He has had no criminal convictions in ten years, and he is now married with three children.

WHEREAS, at the time of this criminal behavior in 1998 and 1999, Mr. Bray was just a teenager of 15 and 16 years old. The scientific and criminal justice communities have documented the difficulty the juvenile brain has in engaging in behavior control, often leading juveniles to exhibit a transient rashness, proclivity for risk, and inability to assess the full consequences of their actions.

WHEREAS, in March 2017, the Clemency and Pardons Board reviewed Mr. Bray’s petition for a pardon. The testimony before the Board was that Mr. Bray has matured since this criminal behavior, earning an associate’s degree, raising a family, and beginning a career with the Department of Corrections.

WHEREAS, neither the Mason County Prosecuting Attorney, nor any of the victims of Mr. Bray’s criminal activity oppose his petition.

WHEREAS, the Clemency and Pardons Board voted to recommend that Mr. Bray receive a pardon, citing his age at the time of these offenses and the burden it places on his prospects for career advancement.

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 Michael Lawrence Bray this pardon for his convictions on three counts of SECOND DEGREE ROBBERY and his conviction for SECOND DEGREE MALICIOUS MISCHIEF, Mason County Superior Court No. 99-8-282-8.



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

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
JOSEPH MARTIN KING

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2003 and 2006, Joseph Martin King was twice found guilty of FOURTH DEGREE ASSAULT - DOMESTIC VIOLENCE in Spokane Municipal Court, Cause No. B2606 and Walla Walla District Court C2623. These convictions arose after Mr. King engaged in altercations with his wife. Then in 2007, Mr. King was also found guilty of MALICIOUS MISCHIEF - Domestic Violence in Spokane Municipal Court, No. B60717, after he punched out his car window during an argument with his

WHEREAS, Mr. King accepts full responsibility for his past conduct and expresses remorse. He has satisfied all the conditions of his judgment and sentence, completed courses in anger management, and has had no criminal convictions since 2007.

WHEREAS, Mr. King has attained his bachelor's, master's, and doctorate degrees, but many potential employers will not hire him because of his record, Similarly, he has experienced difficulty securing housing because of these convictions.

WHEREAS, the Spokane Prosecuting Attorney and Spokane County Sheriff both support Mr. King's petition. No victims objected to his petition.

WHEREAS, in March 2017, the Clemency and Pardons Board reviewed Mr. King's petition for a pardon and voted unanimously to recommend that Mr. King 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 Joseph Martin King this FULL AND UNCONDITIONAL pardon of his 2003 and 2006 convictions for FOURTH DEGREE ASSAULT - DOMESTIC VIOLENCE in Spokane Municipal Court Cause No. B2606 and Walla Walla District Court C2623 and also his 2007 conviction for MALICIOUS MISCHIEF - Domestic Violence in Spokane Municipal Court, No. B60717.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 27th day of September, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
DEMETRIO RAMIREZ-ALTAMIRANO

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Demetrio Ramirez-Altamirano pleaded guilty to DELIVERY OF A OF A CONTROLLED SUBSTANCE and POSSESSION OF A CONTROLLED SUBSTANCE in 1993, Benton County Superior Court Case No. 93-1-89-1. Mr. Ramirez-Altamirano, then 18 years old, delivered cocaine to a confidential informant.

WHEREAS, Mr. Ramirez-Altamirano immigrated to the United States from Mexico at age 12. He served a 26-month sentence on this conviction, and he was deported to Mexico, leaving behind a family in the United States.

WHEREAS, Mr. Ramirez-Altamirano returned to the United States in 1995 to care for his disabled son. In 2016, the federal government prosecuted Mr. Ramirez-Altamirano for unlawful reentry; he served a short sentence on this federal offense, and he now awaits another deportation.

WHEREAS, Mr. Ramirez-Altamirano accepts full responsibility for his past conduct and expresses remorse. He is now married with six children, all of whom live in Washington, as do his five brothers and mother.

WHEREAS, Mr. Ramirez-Altamirano has the support of his family, friends, landlord, medical staff, and others.

WHEREAS, Mr. Ramirez-Altamirano has not had any state criminal convictions in over 24 years.

WHEREAS, at the time of his crime in 1993, Mr. Ramirez-Altamirano was just 18 years old. The scientific and criminal justice communities have documented the difficulty the juvenile brain has in engaging in behavior control, often leading juveniles to exhibit a transient rashness, proclivity for risk, and inability to assess the full consequences of their actions.

WHEREAS, in September 2016, the Clemency and Pardons Board reviewed Mr. Ramirez-Altamirano's petition for a pardon. The testimony before the Board was that Mr. Ramirez-Altamirano is a stable figure for his family and in his community. If he were to receive a pardon on this 1993 state conviction, it may help to avoid another deportation, and stay in the United States to provide support for his family.

WHEREAS, the Benton County Prosecuting Attorney's Office does not oppose Mr. Ramirez-Altamirano's petition.

WHEREAS, the Clemency and Pardons Board voted to recommend that Mr. Ramirez-Altamirano be pardoned, citing the prosecutor's non-opposition to the petition, and the nature of this single, nonviolent criminal act when he was just 18 years old.

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 Demetrio Ramirez-Altamirano this pardon for his 1993 DELIVERY OF A CONTROLLED SUBSTANCE and POSSESSION OF A CONTROLLED SUBSTANCE convictions, Benton County Superior Court No. 93-1-89-1.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 27th day of September, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

REVOCATION
OF
AMENDED CONDITIONAL COMMUTATION
OF
JOHN RAY STEWART

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, John Ray Stewart was convicted on November 20, 1998, of First Degree Attempted Robbery and First Degree Burglary under King County Superior Court Cause No. 97-1-05832-1 and sentenced to serve Life Without the Possibility of Parole as required by Washington’s Persistent Offender Accountability Act, the so-called “Three Strikes” law.

WHEREAS, the crimes leading to these final strike convictions occurred on July 29, 1997. Mr. Stewart burglarized a home, fought with the homeowner’s two sons who chased him, and then tried to steal a vehicle belonging to one of the sons.

WHEREAS, Mr. Stewart committed his first strike on May 7, 1990, when he and a codefendant began beating hitchhikers after the hitchhikers refused their demand for money started calling for help. As a result, Mr. Stewart was convicted of Second Degree Assault. committed his second strike offense on September 9, 1991, when he and a co-defendant to a residential property to steal marijuana and the co-defendant shot and killed a man. Consequently, Mr. Stewart was convicted of First Degree Manslaughter.

WHEREAS, in 2003, while in prison at the Washington State Penitentiary, Mr. Stewart inmate Steven F. Sherer, who had murdered his wife. Mr. Sherer stated to Mr. Stewart and another inmate that he wanted to kill the King County Deputy Prosecutor who prosecuted Mr. Sherer’s case. He also stated he wanted to burn down a key witness’ house. Mr. Stewart reported the threats and assisted the police investigation that identified steps Mr. Sherer taken to hire a person being released from prison to carry out his plan, and testified Mr. Sherer at trial. Mr. Stewart never asked for or received any financial reimbursement for his assistance, and Mr. Stewart’s motivation was to balance the wrong he had committed in his own life by helping to thwart a scheme to murder a deputy prosecutor.

WHEREAS, on January 14, 2013, Governor Gregoire granted Mr. Stewart a Conditional Commutation on the remainder of his sentence, contingent on, among other things, his successful completion of a work release program and then an 18-month term of community supervision. Before completing his work release program, on August 1, 2015, Mr. Stewart received a major infraction for fighting. Consequently, he was terminated from his work release program. At the time, Mr. Stewart conceded that he violated the terms of his Conditional Commutation.

WHEREAS, following this violation of his 2013 Conditional Commutation, I amended Mr. Stewart’s Conditional Commutation order on November 13, 2015, to give him another chance. Under this Amended Conditional Commutation Mr. Stewart was to remain incarcerated until no later than January 1,

2017, and I gave him another opportunity to complete a work release program before serving an 18-month term of community supervision.

WHEREAS, on October 1 7, 2016, after experiencing more difficulties in a work release setting, Mr. Stewart was again released from his work-release program before completing it. Again, he conceded that he failed to satisfy the terms of his Amended Conditional Commutation.

WHEREAS, Mr. Stewart has twice been unable to successfully complete a work release program. In addition to not satisfying the terms of his Amended Conditional Commutation, it does not appear that Mr. Stewart is prepared to make a successful transition to the community at this time.

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. Stewart’s Amended 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 this 27th day of September, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

September 25, 2017

Jeffrey E. Ellis
621 SW Morrison St.
Suite #1025
Portland, OR 97205

RE: Clemency Petition — Devon P. Adams

Dear Mr. Ellis:

The Clemency and Pardons Board considered the clemency request of your client, Devon Adams, at its December 2016, meeting. Following a hearing, the Board recommended 3-1 that Governor Inslee grant Mr. Adams’ petition.

The Governor has reviewed Mr. Adams’ petition, and while he commends your client for the steps he has taken in prison to become a better person, he does not believe that clemency is appropriate at this time. I therefore regret to inform you that Mr. Adams’ request for a commutation has been denied.

I appreciate your client’s understandable disappointment with this decision. But ultimately, Mr. Adams did not demonstrate extraordinary circumstances, particularly given the seriousness of the activity that led to his conviction and sentence. The Governor will consider a renewed request, should Mr. Adams re-petition the Board when he is again eligible in three years.

Sincerely,
/s/
Taylor K. Wonhoff
Deputy General Counsel

REVOCATION
OF
CONDITIONAL COMMUTATION
OF

WILLEEN RAYE BALLARD (AMENDED)

Assistant Secretary of State

REVOCATION OF CONDITIONAL COMMUTATION OF WILLEEN RAYE BALLARD

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2004, Willeen Raye Ballard was convicted of THIRD DEGREE ASSAULT, FIRST DEGREE THEFT, and FIRST DEGREE POSSESSION OF STOLEN PROPERTY in King County Superior Court, Cause No. 02-1-08642-6, and sentenced to 25 years in prison, after she and an associate confronted an elderly woman in a car, forcibly removed the woman from the car, and then drove off in the car.

WHEREAS, Ms. Ballard has faced tremendous adversity in her life; she was a victim of domestic sexual abuse at a young age and was forced to the streets where she was subjected to violence and victimized in the sex trade. She accepted full responsibility for her conduct in this incident, and she expressed remorse. She paid off nearly \$20,000 in legal financial obligations. And, since 2011, she received no serious infractions. Ms. Ballard also seized opportunities to improve herself while in prison. She completed various college courses, seminars, and other self-improvement programs.

WHEREAS, in December 2014, the Clemency and Pardons Board reviewed Ms. Ballard’s clemency petition, which included several letters of support from her family and other community members. The victim’s family expressed no opposition to Ms. Ballard’s petition, and the King County Prosecuting Attorney’s Office testified in full support of her petition.

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

WHEREAS, I granted Ms. Ballard a Conditional Commutation on December 1 1, 2015, which required her to comply with a number of conditions, including successfully completing a 12-month term of community supervision. Ms. Ballard indicated in writing that she understood these conditions of the commutation and would comply with them. She was released from custody to community supervision on October 1, 2016.

WHEREAS, in January 2017, I learned that a DOC hearing officer had found that Ms. Ballard had violated at least five terms of her community supervision within the first two months of her release from custody on October 1, 2016. Specifically, she violated the terms of her Conditional Commutation when she failed to report to DOC as directed; failed to make herself available for urinalysis testing as directed; failed to notify DOC of changes in her employment as directed; failed to notify DOC of changes in her address or living arrangements as directed; and failed to receive prior approval before leaving Washington.

WHEREAS, with these numerous community supervision violations in her first two months on release, Ms. Ballard has failed to comply with the terms of her Conditional Commutation. Ms. Ballard does not contest that she violated the terms of her Conditional Commutation.

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 Ms. Ballard’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 this 5th day of April, A.D., two thousand and nineteen.

/s/ Jay Inslee Governor



/s/ Mark Neary

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2004, Willeen Raye Ballard was convicted of THIRD DEGREE ASSAULT, FIRST DEGREE THEFT, and FIRST DEGREE POSSESSION OF STOLEN PROPERTY in King County Superior Court, Cause No. 02-1-08642-6, and sentenced to 25 years in prison, after she and an associate confronted an elderly woman in a car, forcibly removed the woman from the car, and then drove off in the car.

WHEREAS, Ms. Ballard has faced tremendous adversity in her life; she was a victim of domestic sexual abuse at a young age and was forced to the streets where she was subjected to violence and victimized in the sex trade. She accepted full responsibility for her conduct in this incident, and she expressed remorse. She paid off nearly \$20,000 in legal financial obligations. And, since 2011, she received no serious infractions. Ms. Ballard also seized opportunities to improve herself while in prison. She completed various college courses, seminars, and other self-improvement programs.

WHEREAS, in December 2014, the Clemency and Pardons Board reviewed Ms. Ballard’s clemency petition, which included several letters of support from her family and other community members. The victim’s family expressed no opposition to Ms. Ballard’s petition, and the King County Prosecuting Attorney’s Office testified in full support of her petition.

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

WHEREAS, I granted Ms. Ballard a Conditional Commutation on December 1 1, 2015, which required her to comply with a number of conditions, including successfully completing a 12-month term of community supervision. Ms. Ballard indicated in writing that she understood these conditions of the commutation and would comply with them. She was released from custody to community supervision on October 1, 2016.

WHEREAS, in January 2017, I learned that a DOC hearing officer had found that Ms. Ballard had violated at least five terms of her community supervision within the first two months of her release from custody on October 1, 2016. Specifically, she violated the terms of her Conditional Commutation when she failed to report to DOC as directed; failed to make herself available for urinalysis testing as directed; failed to notify DOC of changes in her employment as directed; failed to notify DOC of changes in her address or living arrangements as directed; and failed to receive prior approval before leaving Washington.

WHEREAS, with these numerous community supervision violations in her first two months on release, Ms. Ballard has failed to comply with the terms of her Conditional Commutation. Ms. Ballard does not contest that she violated the terms of her Conditional Commutation.

NOW, THEREFORE, I, by virtue of the power vested in me as Governor of the state of Washington under RCW 10.01.120, Ms. Ballard’s Conditional Commutation.

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 3rd day of April, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

ISSUED 7/30/13; REVOKED 2/19/14

AMENDED 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, after a bench trial, on five counts of Robbery in the Second Degree in King County Superior Court Cause Number 97-100657-7 and sentenced to serve Life without the Possibility of Parole under Washington’s persistent offender law, otherwise known as the “Three Strikes” law. Over the course of a month in 1996 and 1997, Mr. Wharton approached clerks in stores and banks and demanded money. He often held his hand in his pocket to suggest that he had a gun.

WHEREAS, Mr. Wharton received his first and second strikes after similar robberies in which he entered stores and confronted clerks, suggested he was carrying a firearm, and then ordering the clerk to provide him money.

WHEREAS, Mr. Wharton unequivocally accepted responsibility and expressed remorse for his past crimes and apologized for his actions to his victims, his family, and the state of Washington.

WHEREAS, at the time of his conviction, the standard range for Mr. Wharton’s offense was 33 to 43 months. The maximum sentence for Second Degree Robbery in the state of Washington, without the three strikes law, is 84 months.

WHEREAS, in December 2012, Mr. Wharton’s petition for clemency, in which he was seeking a commutation, was heard by the Clemency & Pardons Board.

WHEREAS, the testimony before the Board was that Mr. Wharton had shown considerable rehabilitation while incarcerated. He participated in programming to improve his life skills, enhance his education, and remain free from substance abuse.

WHEREAS, King County Prosecutor Daniel Satterberg reviewed Mr. Wharton’s clemency petition, and supported his petition. Also supporting Mr. Wharton’s petition was the sentencing judge on his “third strike” offense, retired Judge Michael J. Fox, who was so unsettled by having to direct such a sentence in the case of a non-violent offender, that he encouraged Mr. Wharton to seek a commutation.

WHEREAS, following his hearing, the Clemency Board unanimously recommended that the governor commute Mr. Wharton’s sentence.

WHEREAS, on July 30, 2013, Governor commuted Mr. Wharton’s sentence, contingent on a series of terms to which Mr. Wharton agreed, including refraining from drug and alcohol use, participating in a residential treatment program, and regularly reporting with his community corrections officer for urinalysis testing. In October 2013, however, Mr. Wharton left his residential substance treatment program without permission and

was later found to have violated the terms of his community custody multiple times.

WHEREAS, following the findings that Mr. Wharton violated the terms of his July 30, 2013, Conditional Commutation, Governor Inslee revoked Mr. Wharton’s Conditional Commutation on February 19, 2014.

WHEREAS, in the years since the revocation of Mr. Wharton’s Conditional Commutation, he has continued to show personal growth and maturity, and he has learned from the mistakes that led to the revocation of his July 30, 2013, Conditional Commutation. Mr. Wharton has been accepted into a Salvation Army Rehabilitation Center residential treatment program that he believes will provide him the support he needs to successfully transition to the community.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington under Article III Section 9 of the Washington State Constitution, RCW 9.94A.885 and RCW 9.95.260, hereby amend Joseph Scott Wharton’s original Conditional Commutation. Under these amended terms, Mr. Wharton will go through a transition through lower levels of custody as determined by the Department of Corrections (DOC), to end July 1, 2018. At that time, Mr. Wharton shall begin serving a 36-month term of DOC community supervision. Also upon his release from DOC custody, Mr. Wharton will transition to the Salvation Army Rehabilitation Center residential treatment program for a period of six months to a year, as determined by the treatment facility.

During his period of custody, and on community supervision, Mr. Wharton shall:

1. Participate in a substance abuse and/or chemical dependency evaluation as directed by DOC and complete any recommendations from such evaluation;
2. Participate in a residential drug and alcohol treatment program, as directed by DOC;
3. Participate in chemical dependency and substance abuse support groups when not in residential treatment, as directed by DOC;
4. Not use, possess, or consume alcohol or other controlled substances, unless taken under medical supervision;
5. Submit to regular and random urinalysis and breathalyzer testing, as directed by DOC;
6. Report to and be available to regularly meet with a community corrections officer as directed by DOC;
7. Be subject to regular home/employment visits, and be subject to home, automobile and personal property searches;
8. Not associate with drug users or dealers, and avoid taverns, bars, and other sites where alcohol or drugs are the primary commodity sold;
9. Not possess, receive, ship, or transport a firearm, ammunition, or explosives;
10. Pay legal financial obligations and other fees as directed by DOC;
11. Participate in DOC-approved education, training, employment and employment training, and/or community service programs;
12. Receive prior approval from DOC for any employment changes or changes in living arrangements or residence;
13. Allow DOC to conduct such home visits as DOC deems appropriate;
14. Not travel beyond the county of residence, unless approved in writing by DOC;
15. Have no direct contact with any victims or their families, unless requested by the victim and approved by DOC;
16. Report to DOC any contact with law enforcement within

24 hours of the occurrence;

17. Enroll in and successfully complete the *Thinking for a Change* program, or similar program, as approved by DOC; and
18. Obey all laws and comply with all conditions, recommendations, orders, and instructions of community placement as directed orally or in writing by DOC.

PROVIDED that Mr. Wharton shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Amended Conditional Commutation as provided below. If Mr. Wharton is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Wharton to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Wharton if he violates a condition.

ADDITIONALLY PROVIDED that in the event Mr. Wharton violates any of the conditions of this Amended Conditional Commutation, as determined by the Governor, this Amended Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Wharton will be immediately returned to the Washington Corrections Center or any such facility as the DOC Secretary deems appropriate. If any such violation occurs, shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Amended Conditional Commutation will then be mailed to the most recent address Mr. Wharton has provided to the Office of the Governor or, if Mr. Wharton is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Wharton submits a sworn statement made under penalty of perjury that he has in fact complied with all conditions of this Amended Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer provide Mr. Wharton an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the Amended 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 determination of whether Mr. Wharton has violated the conditions of the Amended Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Wharton 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, this Amended Conditional Commutation may be revoked and the sentence of the court reinstated, whereupon Mr. Wharton will be immediately returned to any such facility that the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Wharton may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this Amended Conditional Commutation has been violated, if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this Amended 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. Wharton may abscond if not detained. If detained, Mr. Wharton 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 this 6th day of July, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
LONNIE ELDEN PITTS

To All Whom These Presents Shall Come, Greetings:

WHEREAS, in 1998, Lonnie Elden Pitts pleaded guilty to FIRST DEGREE ROBBERY in Thurston County Superior Court No. 97-1-2038-1. This conviction arose after he entered a bank armed with a pellet gun and ordered a bank teller to fill his duffel bag with money.

WHEREAS, Mr. Pitts accepts full responsibility for his past conduct and expresses remorse. He has satisfied all the conditions of his judgement and sentence.

WHEREAS, while substance abuse contributed to the conduct that resulted in this conviction, Mr. Pitts has been sober for over 10 years. He has no other criminal convictions on his record.

WHEREAS, in September 2016, the Clemency and Pardons Board reviewed Mr. Pitts' petition for a pardon. At the hearing, Mr. Pitts explained that he is a supervisor at his company, where he provides opportunities for former felons to reenter the workforce and build new careers.

WHEREAS, Mr. Pitts' petition included numerous letters of support from friends, family, coworkers, and work subordinates.

WHEREAS, no victims objected to Mr. Pitts' petition.

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

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 Lonnie Elden Pitts this FULL AND UNCONDITIONAL pardon for his FIRST DEGREE ROBBERY conviction in Thurston County Superior Court No. 97-1-2038-1.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of June, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
ELIZABETH MARIE SHEPHERD

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1994, Elizabeth Marie Shepherd pleaded guilty to SECOND DEGREE MANSLAUGHTER in King County Superior Court No. 94-1-498-7. This conviction followed an incident in which a man ordered Ms. Shepherd to play Russian Roulette with him, an incident which resulted in Ms. Shepherd shooting and killing the man with his own firearm.

WHEREAS, Ms. Shepherd accepts full responsibility for her past conduct and expresses remorse. She has satisfied all the conditions of her judgment and sentence.

WHEREAS, Ms. Shepherd's criminal record was largely the product of substance abuse problems she faced in her past. She has been sober for 15 years, and she has not had any criminal convictions since 2001.

WHEREAS, in March 2017, the Clemency and Pardons Board reviewed Ms. Shepherd's petition for a pardon. At her hearing, testimony explained that Ms. Shepherd has earned a master's degree in public health education and works in the public health field. But this felony precludes her from becoming a certified nursing assistant.

WHEREAS, the King County Prosecuting Attorney does not oppose Ms. Shepherd's petition.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that Ms. Shepherd 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 Elizabeth Marie Shepherd this FULL AND UNCONDITIONAL pardon for her SECOND DEGREE MANSLAUGHTER conviction in King County Superior Court No. 94-1-498-7.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of June, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

PARDON
OF
ADAM MICHAEL QUINN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Adam Michael Quinn pleaded guilty to SECOND DEGREE ROBBERY in 2001, King County Superior Court Case No. 01-1-104232-3. Mr. Quinn, then 18 years old, robbed his former employer, a movie theater, while armed with a pellet gun.

WHEREAS, Mr. Quinn is autistic. At the time of this offense, Mr. Quinn had not yet been diagnosed, and was not being treated for this condition. He and his doctors have since found a treatment plan that works for him, and he has earned his high school diploma.

WHEREAS, Mr. Quinn accepts full responsibility for his past conduct and expresses remorse. He has satisfied all the conditions

of his judgment and sentence, including paying all of his legal financial obligations.

WHEREAS, Mr. Quinn has the support of his family, doctor, and his Department of Social and Health Services (DSHS) caseworker.

WHEREAS, Mr. Quinn has not had any criminal convictions in 15 years.

WHEREAS, in September 2016, the Clemency and Pardons Board reviewed Mr. Quinn's petition for a pardon. The testimony before the Board was that Mr. Quinn has shown strong rehabilitation since this crime. His DSHS caseworker testified that, because of this felony conviction, Mr. Quinn faces barriers to employment and his ultimate independence.

WHEREAS, the King County Prosecuting Attorney's Office testified in support of Mr. Quinn's petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Quinn be pardoned, citing his then-undiagnosed autism as a mitigating factor. The Board recommended that this pardon be conditioned on Mr. Quinn being barred from owning or possessing a firearm or dangerous weapon.

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 Adam Michael Quinn this pardon for his 2001 SECOND DEGREE ROBBERY conviction in King County Superior Court No. 01-1-104232-3, conditioned on Mr. Quinn being barred from owning or possessing a firearm or deadly weapon.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of June, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
JAMES ALBERT LUKSAN

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1992, James Albert Luksan pleaded guilty to two counts of SECOND DEGREE ARSON in King County Superior Court No. 92-1-04488-5. These convictions arose after a then-17-year old Mr. Luksan exploded pipe bombs as a prank on New Year's Eve 1991, causing property damage.

WHEREAS, Mr. Luksan accepts full responsibility for his past conduct and expresses remorse. He has satisfied all the conditions of his judgment and sentence.

WHEREAS, Mr. Luksan has not been convicted of a crime in 25 years. He has a family and is raising two children. He pursued higher education opportunities and became an engineer and professional pilot, enjoying steady employment throughout his adult life.

WHEREAS, in December 2016, the Clemency and Pardons Board reviewed Mr. Luksan's petition for a pardon. At his hearing, Mr. Luksan explained that he would like to move to

Japan with his family, but he cannot make the move because of this felony. He also cannot volunteer at his daughter’s school, and he is limited in his opportunities for career advancement because, as a pilot, he is limited to domestic airlines because of his inability to travel internationally.

WHEREAS, no victims objected to Mr. Luksan’s petition, nor did the King County Prosecuting Attorney.

WHEREAS, at the time of his crime in 1991, Mr. Luksan was just 17 years old. The scientific and criminal justice communities have documented the difficulty the juvenile brain has in engaging in behavior control, often leading juveniles to exhibit a transient rashness, proclivity for risk, and inability to assess the full consequences of their actions.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Luksan 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 James Albert Luksan this FULL AND UNCONDITIONAL pardon for his two SECOND DEGREE ARSON convictions in King County Superior Court No. 92-1-04488-5.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of June, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

FULL AND UNCONDITIONAL PARDON
OF
RICHARD ANTHONY MICHAEL POWELL

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1987, Richard Anthony Michael Powell was found guilty of FIRST DEGREE ROBBERY in King County Superior Court No. 87-1-3093-4. This conviction arose after a then-16-year old Mr. Powell used a water gun to rob a Jack In The Box restaurant. Then, while in prison on the Robbery, he left a work camp site and was later convicted of FIRST DEGREE ESCAPE, Thurston County Superior Court No. 88-1-754-7.

WHEREAS, Mr. Powell accepts full responsibility for his past conduct and expresses remorse. He has satisfied the conditions of his judgment and sentence.

WHEREAS, Mr. Powell has not been convicted of a crime in almost 30 years. He is now married with four boys, and he has built strong community ties. He earned his GED in prison and later pursued higher education opportunities, choosing to work in the health care profession.

WHEREAS, in December 2016, the Clemency and Pardons Board reviewed Mr. Powell’s petition for a pardon. At his hearing, Mr. Powell described how he grew up under challenging circumstances. Today, he has a strong network of family, friends, coworkers, and community supporters. Mr. Powell has the support of the Sheriff of Twin Falls County, Idaho, where he is

an appointed deputy. Because of these convictions, Mr. Powell cannot be licensed to practice psychology in Nevada.

WHEREAS, no victims objected to Mr. Powell’s petition, nor did the King Prosecuting Attorney, who deferred to the Board’s recommendation.

WHEREAS, at the time of his crimes, Mr. Powell was just 16 and 18 years respectively. The scientific and criminal justice communities have documented difficulty the juvenile brain has in engaging in behavior control, often leading juveniles to exhibit a transient rashness, proclivity for risk, and inability to assess the full consequences of their actions.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Powell 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 Richard Anthony Michael Powell this FULL AND UNCONDITIONAL pardon for his FIRST DEGREE ROBBERY conviction in King County Superior Court No. 87-1-3093-4 and his FIRST DEGREE ESCAPE conviction in Thurston County Superior Court no. 88-1-754-7.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia this 29th day of June, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/
Mark Neary
Assistant Secretary of State

CONDITIONAL COMMUTATION
OF
MICHAEL HOOVER

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Michael James Hoover pleaded guilty to three counts of FIRST DEGREE ROBBERY in Snohomish County Superior Court Cause No. 06-4-468-4. In 2006, Mr. Hoover visited a series of stores and espresso stands, and while suggesting he was carrying a weapon, demanded money.

WHEREAS, these convictions came after similar robberies in 1999 and 2004, resulting in Mr. Hoover being sentenced to life in prison without the possibility of parole under Washington’s persistent offender statute.

WHEREAS, Mr. Hoover has served over 10 years on this conviction. He has had no serious prison infractions in 10 years.

WHEREAS, Mr. Hoover accepts full responsibility for his past criminal conduct and expresses remorse. While in prison, he has identified with his Native American ancestry and has been an outspoken voice for Native American rights.

WHEREAS, in March 2017, the Clemency and Pardons Board reviewed Mr. Hoover’s clemency petition, which included several letters of support, as well as and certificates of achievement earned during his incarceration.

WHEREAS, the testimony before the Board was that Mr. Hoover experienced significant childhood trauma, which contributed to his past anti-social criminal behavior. While

FIRST DAY, JANUARY 13, 2020

2020 REGULAR SESSION

incarcerated, he has taken great strides to learn to cope with the trauma of his past and grow from it.

WHEREAS, had Mr. Hoover not been sentenced as a persistent offender, he would have been sentenced to 129 to 171 months. He has already served over 138 months on this sentence. Snohomish County Prosecutor Mark Roe testified that he would not oppose commuting Mr. Hoover's sentence from life in prison without the possibility of parole to a sentence of 231 months. A commutation would allow Mr. Hoover to enroll in certain DOC programming in which he is not currently eligible to participate due to his life sentence programming that will help him to prepare for eventual transition to the community.

WHEREAS, upon his eventual release, Mr. Hoover will have the support of friends, family, and the tribal community. He has standing offers for housing and employment and other support.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that the Governor commute Mr. Hoover's sentence from life in prison without the possibility of parole to 231 months. 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 Michael James Hoover's sentence months for his 2006 conviction on three counts of FIRST DEGREE ROBBERY in Snohomish County Superior Court Cause No. 06-4-468-4, conditioned on his written agreement to comply with all terms outlined by the DOC in a transition plan in which Mr. Hoover will be released from prison after serving a 231 -month sentence. During his last nine months in custody, Mr. Hoover must successfully complete a DOC-approved work release program. Following his release from custody, Mr. Hoover shall serve 36 months of DOC community supervision. During this period under DOC custody and supervision, Mr. Hoover must comply with any conditions set forth by DOC and its community corrections officers (CCOs). These conditions shall include, but not be limited to the following:

Mr. Hoover shall:

1. Obey all laws and abide by all written or verbal conditions, prohibitions, or instructions issued by DOC.
2. Be available for contact with DOC as directed, and consent to DOC home visits and/or searches, including searches of person, automobiles, or personal property.
3. Obtain DOC-approved employment or enroll in DOC-approved educational programming, and report it to DOC.
4. Reside in DOC-approved housing, and obtain DOC permission before changing residences, or taking overnight visits away from his DOC-approved residence, even if just for one night.
5. Not travel outside his county of residence without written DOC approval.
6. Not possess firearms, ammunition, explosives, or dangerous weapons.
7. Not carry a knife of any kind on his person unless necessary for work purposes or as otherwise approved by DOC.
8. Obtain a substance abuse evaluation and follow all treatment recommendations as directed by DOC.
9. Not possess or use any controlled substances without a

valid physician's prescription.

10. Not visit bars, taverns, or other establishments in which alcohol or marijuana is the primary commodity being sold, unless approved by DOC.
11. Be subject to regular drug and alcohol testing as directed by DOC.
12. Participate in weekly substance abuse support programming as determined by DOC.
13. Not associate with known criminals, gangs, or individuals that have a criminal or gang history without DOC approval.
14. Not possess stolen property or unauthorized tools not associated with approved work, to be determined by DOC.
15. Report to DOC all law enforcement contacts within 24 hours of occurrence.
16. Complete anger management programming, as directed by DOC.
17. Enroll in, and successfully complete DOC's Thinking for a Change program, as well as Cognitive Behavioral Intervention programming, and/or any other programming or treatment as directed by DOC.

PROVIDED, that Mr. Hoover shall remain under DOC supervision and explicitly follow the conditions established by that agency during the term of his community supervision. Violation of any of the above conditions shall result in sanctions as deemed appropriate by DOC and may result in the termination of this Conditional Commutation as provided below. If Mr. Hoover is taken into custody following any alleged violation, DOC shall hold a Community Custody Hearing. DOC may also require Mr. Hoover to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Hoover if he violates a condition.

ADDITIONALLY PROVIDED, that in the event Mr. Hoover violates any of the conditions of this Conditional Commutation, as determined by the Governor, this Conditional Commutation may be revoked or amended and the sentence of the court reinstated, whereupon Mr. Hoover will be immediately returned to any such facility as the DOC Secretary deems appropriate. If any such violation occurs, DOC shall provide a written report to the Governor regarding the violation. A written notice of the Governor's intent to review the alleged violations and revoke or amend the Conditional Commutation may then be mailed to the most recent address Mr. Hoover has provided to the Office of the Governor or, if Mr. Hoover is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice, Mr. Hoover submits a sworn statement made under penalty of perjury that he has, in fact, complied with all conditions of this Conditional Commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Hoover 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 determination on whether Mr. Hoover has violated the conditions of this Conditional Commutation.

ADDITIONALLY PROVIDED, that in the event Mr. Hoover 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, this Conditional Commutation may be revoked and the same sentence of the court reinstated, whereupon Mr. Hoover will be immediately returned to any such facility as the DOC Secretary deems appropriate.

ADDITIONALLY PROVIDED, that Mr. Hoover 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. Hoover may abscond if not detained. If detained, Mr. Hoover 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 this 29th day of June, A.D., two thousand and nineteen.

/s/
Jay Inslee
Governor

/s/

Mark Neary
Assistant Secretary of State

MOTION

At 1:30 p.m., on motion of Senator Liias, the Senate adjourned until 11:45 a.m. Tuesday, January 14, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SECOND DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, January 14, 2020

The Senate was called to order at 11:46 a.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

MOTION

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

MOTION

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

MESSAGE FROM THE HOUSE

January 14, 2020

MR. PRESIDENT:

The Speaker has signed:

HOUSE CONCURRENT RESOLUTION NO. 4402,

HOUSE CONCURRENT RESOLUTION NO. 4403,

and the same are herewith transmitted.

MELISSA PALMER, 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. 4402,

and HOUSE CONCURRENT RESOLUTION NO. 4403.

MOTION

At 11:49 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purpose of convening a Joint Session with the House of Representatives in the House Chamber.

JOINT SESSION

Pursuant to House Concurrent Resolution No. 4403, the Senate appeared at the doors of the House of Representatives and requested admission to the Chamber. The Sergeant at Arms of the Senate, Mr. Andrew Staubitz, and the Sergeant at Arms of the House, Mr. Sean Hartsock, escorted the President of the Senate, Lieutenant Governor Cyrus Habib; Senator Karen Keiser, Senator Randi Becker and Senator Rebecca Saldaña to seats at the Rostrum. The senators were invited to seats within the Chamber.

The Speaker (Representative Jinkins presiding) called upon President Habib to preside over the Joint Session.

The President of the Senate, Lieutenant Governor Habib called the Joint Session to order. The Clerk called the roll of House members. The Clerk called the roll of Senate members. A quorum of the Legislature was present.

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

The President appointed a committee of honor to escort the Supreme Court Justices to the House Chamber: Senators Sharon Brown and Lisa Wellman and Representatives Robert Sutherland and Javier Valdez.

The President appointed a committee of honor to escort the statewide elected officials to the House Chamber: Senators Annette Cleveland and Brad Hawkins and Representatives Mia Gregerson and Gina Mosbrucker.

The President appointed a committee of honor to advise His Excellency, Governor Jay Inslee, that the Joint Session had been assembled and to escort him from his Chambers to the House Chamber: Senators Bob Hasegawa and Maureen Walsh and Representatives Sherry Appleton and Larry Hoff.

Sergeant at Arms Hartsock announced the arrival of the State Supreme Court Justices at the chamber door. The committee of honor consisting of Senators Sharon Brown and Lisa Wellman and Representatives Robert Sutherland and Javier Valdez escorted the Chief Justice and Justices to seats at the front of the House Chamber. The members of the Supreme Court were introduced by the President: Chief Justice Debra Stephens, Associate Chief Justice Charles Johnson, Justice Barbara Madsen, Justice Susan Owes, Justice Charlie Wiggins, Justice Steven Gonzalez, Justice Cheryl Gordon-McCloud, Justice Mary Yu, and Justice Raquel Montoya-Lewis.

Sergeant at Arms Hartsock announced the arrival of the statewide elected officials at the chamber door. The committee of honor consisting of Senators Annette Cleveland and Brad Hawkins and Representatives Mia Gregerson and Gina Mosbrucker escorted the statewide elected officials to seats at the front of the House Chamber. The statewide elected officials were introduced by the President: Secretary of State Kim Wyman, Treasurer Duane Davidson, Auditor Pat McCarthy, Attorney General Bob Ferguson, Superintendent of Public Instruction Chris Reykdal, Commissioner of Public Lands Hilary Franz and Insurance Commissioner Mike Kreidler.

The President introduced officers and members of the Consular Association of Washington.

The President introduced members and leaders of the Washington Indian Tribal Council.

The President introduced members of local governments and colleges and universities.

Sergeant at Arms Hartsock announced the arrival of His Excellency, Governor Jay Inslee at the chamber door. The committee of honor consisting of Senators Bob Hasegawa and Maureen Walsh and Representatives Sherry Appleton and Larry Hoff escorted Governor Inslee to a seat at the Rostrum.

The Washington State Patrol Honor Guard presented the Colors.

The National Anthem was performed by the Band And Choir Homeschool (B.A.C.H.) Musicians Choir under the direction of Mrs. Ginger Christensen Gerchak and Mrs. Julie Gullett.

The President led the Joint Session in the Pledge of Allegiance.

The prayer was offered by Imam Adam Jamal, Muslim Association of Puget Sound, Redmond.

Imam Jamal: “Thank you for giving me, my family who I brought with me here today, the Muslim Association of Puget Sound and the Muslim community the honor of giving this invocation on this special day.

The Quran says in chapter 49, verse 13 that humanity was created from a single pair of male and female, and made in different nations and tribes so that we may learn from one another. This is a recognition of our shared humanity and the value of our diversity. May we continue to celebrate our diversity, stay true to the principals of religious and personal freedom, and preserve these principals for our children and for generations to come. I begin with the name of God, the most merciful, the most compassionate, who we call upon by many great names.

Dear God, we thank You. Praise You. And sanctify Your name for all that we have. For all of our blessings. The roofs over our heads, food in our bellies, and water to quench our thirst. Dear God, we pray for peace and not war, righteousness and not irreverence, justice and not tyranny, love and not hatred. We pray for compassion and not cruelty. We pray for faithfulness and not hopelessness. We pray for trust and not mistrust. We pray for good deeds that match what we teach, and we seek Your protection from speech that undermines our common humanity. We seek Your guidance in our pursuit of justice and compassion. We seek Your help to be good stewards of our great state of Washington, the state which You have entrusted us with. The earth which You have blessed us with. Let us be kind and gentle to every living being and protect those who are our most vulnerable in our society. Let us serve them in the most beneficial of ways. Help us, dear God, to be the change that we wish to see. Grant us the serenity to accept the things we can not change, the courage to change the things we can, and the wisdom to know the difference. Dear God, show us the truth as the truth and help us to act on it and defend it. Show us falsehood as false and help us to avoid it and protect ourselves against it. Protect our state’s leaders as they begin this new year. Guide them to do what’s good and beneficial for our state and all the people in it. And give them the courage, the conviction and creativity to overcome the challenges ahead with the best ideas, words, and actions. Amen.”

The President introduced His Excellency, Jay Robert Inslee, Governor.

STATE OF THE STATE ADDRESS

Governor Inslee: “Good afternoon. Thank you, Imam Adam Jamal for your moving invocation and your families, we appreciate that. Thank you, Bock Home School Choir for the lovely rendition of the national anthem, what beautiful, beautiful voices. They were unable to perform, they came down to the Capitol in December but were unable to perform, so we are so happy to have them back here now to inspire us.

I want to extend a warm welcome to former Governor and Ambassador Gary Locke and thank him for his distinguished service at the state and federal levels. Thank you, Gary.

I would like to welcome Sweden’s Ambassador to the United States who is visiting Washington to promote economic development and trade. We are happy to hear her, to see her here today from a country that has reduced its carbon emissions by 27%, while increasing its GDP by 90%, Karin Olofsdotter. Thank you Madam Ambassador.

And, I am certainly honored to be the first Washington governor to be able to say ‘Madam’ Speaker, Laurie Jinkins. Laurie. Mr. President, Madam Chief Justice, distinguished Justices of the Court, members of the Legislature, tribal leaders, state and local government officials, members of the Consular Corps, and most importantly, my fellow Washingtonians:

You know one of the best things about being governor is shining the light on how great Washington is, and I love this part of my job. I’m inspired by many Washington stories. I’m inspired by a Fife High School senior who is here today. She’s the first female quarterback in our state’s history to throw a touchdown pass for a football team. Welcome to Brynna Nixon. Brynna, thank you for being here.

I’m inspired by the development of Washington state’s newest apple, the Cosmic Crisp, which is on your desks. Several people from Washington State University are here, including the person who heads WSU’s apple breeding program, Kate Evans, and Agriculture School Dean André Wright. Congratulations to Washington State University for what they’ve done.

There are so many great things going on in our universities. I’m inspired by the University of Washington team who developed an app to monitor a person’s breathing rate and detect an opioid overdose. Both the Cougars and the Huskies show how broad the innovative culture is in our state and it is something we should celebrate.

It is inspiring to see, in perhaps her second public appearance, Justice Raquel Montoya-Lewis, the first Native American to join our State Supreme Court. Thank you for stepping up to the plate.

Washington has felt deep losses this past year. Courageous first responders have given their lives for us, as they do all too often. We’ve lost: Okanogan County Fire District 3’s Assistant Fire Chief Christian Johnson; Kittitas County Sheriff’s Deputy Ryan Thompson; Cowlitz County Sheriff’s Deputy Justin DeRosier; Lynden Interim Police Chief Michael Knapp; Pierce County Deputy Cooper Dyson; East Olympia Volunteer Fire Captain John Ostergard; and, a member of our military family on duty, Sergeant First Class Dustin Ard.

On behalf of all Washingtonians, I want to express our respect and condolences for these families.

Last year we also lost Bill Ruckelshaus, a true statesman in both Washingtons who’s left us an unmatched environmental legacy.

And we know we are missing today a face in the House chambers. We lost Jim Richards, the communications director for the House majority. We know Jim, and his life was dedicated to public service and helping others.

Those who put service above self should inspire us, including the new legislators in your ranks: Senator Ron Muzzall; Representative Davina Duerr; Representative Alex Ramel; Representative Jesse Johnson. And congratulations to Derek Stanford for moving to the Senate and to Senator Liz Lovelett for their election. Congratulations, I welcome you to this great effort. I want to thank them for stepping up to improve the lives of all Washingtonians because fundamentally that’s why we are all here.

One of our deepest Washington values is summoning the courage to explore and embrace big ideas, ideas that actually change our lives. The people who power our state’s successes have shared a common element: a stalwart and unbending commitment to be better, to get the job done and never resign to those timid souls who think the status quo is good enough. Our embrace of new ideas speaks to who we are as a people.

And, as we start a new decade, we can reflect on how we’ve reached that. We were willing to imagine where we could go if we accepted challenges that at first felt impossible. We can do this because we recognize we belong to one community. We forge

profound forces for good when we unite, not divide, around our best ideas. Last year, I stood here and challenged us to rise up and write one of the worthiest chapters of our time, one that future generations will thank us for. And I'm incredibly proud and grateful for your leadership. Your accomplishments speak to a remarkably productive and positive session before us this year.

Look at what we've done. Together, we have created a Washington where we can rely on paid family and medical leave so you can be there to care for a spouse during their weekly cancer treatments. This program started a couple of weeks ago and is already going very well. Thousands of people have already applied to help in their personal lives.

We've created a Washington where your 18-year-old daughter can graduate from high school as a registered apprentice in aerospace, with full-time employment already lined up.

We've created a Washington where we passed the best 100 percent clean energy and energy efficiency measures in the United States.

Washington, ours is a state where people, where people will be able to afford the long-term care they need as they age.

And a Washington where more students qualify for free tuition than ever before because we passed the single best college financial aid program in the nation.

Now this isn't just me talking. The world has noticed what we have done here. Because of all the things we have done together as a people, U.S. News & World Report recently named Washington the best state in the country.

And Washington state indeed embodies the best in America. We have been honored to be both the best place to do business and the best place to be an employee. That combination is a rare and powerful testament to our state. And now we have the best overtime protections for workers in this state in the United States and I am happy to say that.

So, I think these things say a lot about how we face challenges in our state and I'd like to tell you a story about how we all achieved one of our greatest successes and how that charts a course as we look to tackle another big challenge. That success story is about Washington's nation-leading, innovative, inclusive and life-changing Career Connect Learning initiative.

We have known for a long time that we have some high school students who don't see themselves attending college. We have college students unsure about what their post-degree future looks like. We have midcareer workers who need new skills and training to keep the jobs of today and be ready for the jobs of tomorrow. So, we've built multiple paths to meaningful careers. From skilled jobs right out of high school, apprenticeships for traditional trades, two-year certifications and re-training for mid-career workers and brand-new programs for cutting edge jobs. We recognize every student for what they want to be in any workplace. Now this work has involved businesses, labor, community colleges, universities, K-12, philanthropy and local and state governments.

Ironworkers Local 86 is one of the many apprenticeship programs that expanded and have attracted more students and more diverse students through our Career Connect program.

One of these students is Robert Arce, who moved to Washington to make a better life for himself and his fiancée. He was homeless for a time. And he never used a drill or a hammer. With Local 86 Robert received boots, tools, hands-on knowledge and experience that set him up for success. This experience he said has been everything to him and his family. Today, he's two years into a four-year apprenticeship in Tukwila and looks forward to a better future for himself and his growing family. Thank you, Robert, for being here and sharing your story. I appreciate that. Congratulations.

Another story comes out of Spokane. Olivia Perkins joined the Production and Manufacturing Academy to learn how to weld. She wanted to create and sell her own metalwork. Greater Spokane Incorporated paired with the Academy to make this career-connected opportunity a reality. She took an hour-and-a-half bus ride each way and then walked a mile and a half each way just to attend class. Because of her efforts, she received a full scholarship to Spokane Community College and will become a professional welder because of her Academy experience. Congratulations Olivia, who is here today, and we wish you the best.

It is really exciting because we are growing registered apprenticeships in entirely new sectors, too, like healthcare. SEIU 1199, in partnership with Kaiser Permanente, built a multi-employer, multi-union healthcare apprenticeship. And it is innovation like this that paves the way for other sectors. Through Career-Connect and mid-career re-training thousands of people are already being helped. And it will be more affordable for students thanks to our expanded Washington college grant.

Our goal is nothing short of meaningful career training for anyone who wants it. We want to be able to welcome all people to the prosperity of Washington. And you can see how important partnerships have been to this success. This is what it's going to take to meet our next big challenge: combating homelessness.

Homelessness reaches all ages, all races, all backgrounds. And we know there is no one cause. This doesn't impact just people experiencing a mental health challenge or chemical dependency problems. Thousands of people know that Washington is the best place to live and work in the country. So, they came here. That's a good thing. And while we're pleased with our economic growth, we also have people who have faced economic problems that put affording a place of their own out of reach, in part because we have not built enough housing for the people who are coming to this state. It's not just people living in tents, or under freeways, in wet cardboard boxes. We have families living in cars. Veterans who need help staying in their apartment. Single parents facing financial struggles. High school students sleeping on other people's couches when they can find one. Too many people are one financial crisis away from being homeless each year, we know. In the past decade, we've done more to address homelessness and housing affordability. We've doubled our state's investment in homelessness response since the recession and I thank you for your leadership on that regard. We've combated several causes of homelessness, like opioid addiction and mental illness. We've laid a strong foundation. But I've seen this growing crisis firsthand. I've seen it all over this state. I've seen how it affects Centralia, Bellingham, Spokane, Tacoma and Bremerton. I believe we have an obligation to help solve this problem. Our compassion will not allow us to look the other way. To be successful, our response level must match the scope of this crisis. Homelessness is a statewide problem and it demands a statewide response this year. Responding to homelessness can't simply mean moving people down the road, to someone else's city or to the next bridge. It's about giving them the tools and resources they need to get back on their feet. It's about prevention, it's about rent assistance and it's about supportive housing for our most vulnerable individuals.

I've met so many people who, once they've been given the opportunities to improve their lives, have done it and have established a whole new life. I think of Jayson Chambers, who I met a few months ago. Jayson is a former resident of Tacoma's Stability Site, where one big tent shelters smaller, individual tents in the Dome District in Tacoma. This temporary sheltering approach serves as a transitional step from experiencing homelessness to getting into a more permanent housing solution.

Jayson was one of the first folks there when that facility opened. He told me something pretty profound: he simply said that that Stability Site saved his life. Because the resources there helped him work through a chemical dependency problem and get an apartment in Puyallup. And he is using this success now to help others in the same situation. When I met him that day, he was checking in on other residents at the site and is using his experience to help others. I want to thank Jayson for his leadership and for being here today.

Now I know our patience and compassion for this topic can become strained. But we cannot grow cynical or discouraged. The immediate need for many on the streets is a safe place to lay their head while they work to improve their lives. Our goal over the next two years is to find safe, warm shelter for half the Washingtonians now living under freeways and bridges and sleeping bags and cardboard boxes. This should not come at the expense of building more affordable housing. Some of you may have a different goal on this. And some may want to find it a different way. And I look forward to working with you on those ideas. But I can't imagine that there is anyone here today who doesn't believe we need to act, and act now, to help the most vulnerable in Washington. And I will gauge our success not on where the money comes from, but how many people we can move to safe housing. We know we need to create navigation centers, temporary shelters and necessary support services to successfully move thousands of people out of dangerous, unhealthy campsites. We can house homeless youth through programs like the Anchor Community Initiative, envisioned by homeless youth advocate Jim Theofelis. I thank Trudi for her work on this with Jim and everything you do for the state of Washington, thank you very much. And while we implement this new sheltering plan, we will insist on tracking progress with strong accountability and transparency measures to know we're actually delivering results. We're going to make sure this works. My plan will require financial participation from cities and counties but gives them flexibility to create local solutions to boost shelter capacity the way they plan it. I know this is a big challenge. But we do not shy away from those. Let's bring Washingtonians in from the cold this year.

There's another big step, necessary step, we can take this year: and that's establishing a clean fuel standard for the state of Washington. We know the science, and our love for our state, require us to do more to fight climate change. We've done much. You can rightfully be proud for passing some of the best clean energy laws in the United States. But for those who doubt that we need to do more, look at Australia today. That is all of our futures, not just Australia's. We want to thank the Speaker's brother for the work fighting fires in Australia right now. A few days ago, I was reading the morning paper and I was really struck by a photograph of a small boy who was receiving Australia's highest honor on behalf of his father who died battling those devastating fires. And just the look on that young boy's face, as he got that medal, it just caught me right here. It was a picture from a long ways away, but it just caught me. Something spoke to the grandfather in me about this boy who represents why we're here today and sometimes you find a moment that harkens back to what we need to do. That moment did it for me. Picture that boy represents everything we are fighting for here. We don't want such a devastating personal loss to become more common as the ravages of climate change rise each year. The science has shown we have to act more quickly and with greater commitment. That's why we need to fight for all our children's future. This will take many tools and hard efforts. Because, unless we act, here's the truth I need to share with my fellow leader in the state of Washington: Even with the tremendous work that we've done

together, we will still fall 30 percent short of our 2035 statutory requirement that we put in law if we don't continue our clean transportation efforts. Because while we've made progress, we still haven't addressed the nearly half of our emissions that come from the transportation sector. This is a huge hole in our mutual efforts. Now, there is an extremely effective tool available to us to reduce transportation emissions, and that's the clean fuel standard. We need what the rest of the West Coast has already built: a clean fuel standard that calls upon the oil and gas industry to give Washington consumers cleaner fuels. Let me just say this: Washingtonians deserve cleaner fuels and I want to make sure they get them. That standard, all up and down the West Coast, has been in place for years now. It has had little impact on fuel costs and significant impact on carbon emissions. Now, there's good news here. We already have a lot of the cleanest transportation fuels you can find. We have some of the cleanest electricity in the country today from our renewable energy, including hydropower and wind power. It's fueling our electric transportation.

We are also creating clean biofuels. Here's a story, Klickitat County PUD has implemented an advanced, one of the first, cryogenic nitrogen removal systems in the world, that allows them to scrub methane from the landfill over in Roosevelt. Methane that otherwise pollutes the planet they put into a pipeline and ship it to California where it replaces dirty and dangerous diesel in trucks. This Eastern Washington enterprise that has created jobs in a small town using the best of Washington's innovative thinking. That's from one small PUD. Think about what the impact could be across our entire state. But, right now, the clean fuel generated in Roosevelt doesn't stay in Washington. It goes to California instead of to our drivers because California has a clean fuel standard.

We need to tackle this challenge with the same gusto and belief in inevitable success that has powered our previous triumphs. It can be done. Let's do right by those who have the honor to call themselves Washingtonians in the coming decades. Because, we know this: Washington state is not a state of climate denial. It is a state of climate science acceptance. And for those who say that we should not take action, I say that climate inaction is just as deadly as climate denial. This is the year for climate action. It is time to pass a Washington law, for Washington jobs, for Washington drivers and Washington children, and let's bring this success home.

These aren't our only tasks this year. We also need to make sure more children get early learning opportunities; that we address diversity and equity, especially in the workplace; that we pass common-sense gun safety measures; that we continue to make investments in K-12, including special education; that we protect our kids from tobacco and vaping, and help foster care children earlier and more frequently and provide them with more beds.

And we need to accelerate our efforts to recover salmon and save the Southern Resident orcas. We stand together, in these endeavors, we stand together with tribal governments who inspire us with their stewardship.

The good news is we can do these things. We can because we are the state that embraces the biggest ideas and tries the newest things.

Our ambitions can sound daunting. But we know the path to get there. Look what we have done in the state of Washington. We've made something that is indisputable. We've made something that's inspiring. We've created a spark that ignites our innovation, our collaboration, our communities, our partnerships and the big ideas we fit into this state. We experience the best of Washington when we come together.

And one of our own soccer players knows this well. She stands for strength, spirit and the best of who we are — of course I'm talking about Megan Rapinoe. It really spoke to me when she said the following in her speech after the World Cup victory at the parade. She said, 'This is my charge to everyone here. Every single person who agrees and doesn't agree. It's our responsibility to make this world a better place.'

I couldn't say it any better. So, let's get to work. Thank you."

The President thanked the Governor for his remarks.

The President called upon the committee of honor consisting of Senators Bob Hasegawa and Maureen Walsh and Representatives Sherry Appleton and Larry Hoff to escort His Excellency, Governor Inslee from the Rostrum and the Governor retired from the House Chamber.

The President called upon the committee of honor consisting of Senators Annette Cleveland and Brad Hawkins and Representatives Mia Gregerson and Gina Mosbrucker to escort the statewide elected officials from the front of the Chamber and the statewide elected officials retired from the House Chamber.

The President called upon the committee of honor consisting of Senators Sharon Brown and Lisa Wellman and Representatives Robert Sutherland and Javier Valdez to escort the Supreme Court Justices from the front of the Chamber and the Supreme Court Justices retired from the House Chamber.

The President thanked the Speaker for her hospitality and congratulated her once more for her historic election.

On motion of Representative Sullivan, the Joint Session was dissolved. The Speaker (Representative Jenkins presiding), assumed the chair.

The Sergeant at Arms of the Senate and the Sergeant at Arms of the House escorted President of the Senate Habib, Senator Keiser, Senator Becker and Rebecca Saldaña from the Rostrum and members of the Washington State Senate from seats within the Chamber and the Senate retired from the House Chamber.

AFTERNOON SESSION

The Senate was called to order at 1:05 p.m. by President Habib.

MOTION

At 1:06 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, January 15, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

THIRD DAY**MORNING SESSION**Senate Chamber, Olympia
Wednesday, January 15, 2020

The Senate was called to order at 10:03 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Riley Spade and Mr. Max Milgard III, presented the Colors. Page Miss Hailey McCulloch led the Senate in the Pledge of Allegiance. The prayer was offered by Rabbi Bruce Kadden of Temple Beth El, Tacoma.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 14, 2020

SB 5144 Prime Sponsor, Senator Dhingra: Implementing child support pass-through payments. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Human Services, Reentry & Rehabilitation.

January 14, 2020

SB 5149 Prime Sponsor, Senator Wilson, L.: Monitoring of domestic violence perpetrators. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Law & Justice.

January 14, 2020

SB 5493 Prime Sponsor, Senator Zeiger: Establishing a board of advisors to provide local guidance to community services offices operated by the department of social and health services. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Keiser; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Human Services, Reentry & Rehabilitation.

January 14, 2020

SB 5494 Prime Sponsor, Senator Zeiger: Concerning the baby court initiative. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Human Services, Reentry & Rehabilitation.

January 14, 2020

SB 5744 Prime Sponsor, Senator Dhingra: Concerning commercially sexually exploited children. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Human Services, Reentry & Rehabilitation.

January 14, 2020

SB 6153 Prime Sponsor, Senator Salomon: Concerning driver's license suspensions and revocations. Reported by Committee on Transportation

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

THIRD DAY, JANUARY 15, 2020

2020 REGULAR SESSION

Referred to Committee on Law & Justice.

MOTION

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

SUBCOMMITTEE ON BEHAVIORAL HEALTH REFERRALS

Pursuant to Senate Rule 45(13) and without objection, notice was received from the Committee on Health & Long Term Care that the following measures had been re-referred to the Subcommittee on Behavioral Health:

- Senate Bill No. 6069;
- Senate Bill No. 6070;
- Senate Bill No. 6086;
- and Senate Bill No. 6109.

MOTION

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

MESSAGES FROM THE GOVERNOR GUBERNATORIAL APPOINTMENTS

April 26, 2019

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.

JUDITH GINIGER, appointed April 17, 2019, for the term ending August 2, 2020, as Member of the Lottery Commission.

Sincerely, JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9293.

April 30, 2019

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.

EILEEN SULLIVAN, appointed April 30, 2019, for the term ending August 2, 2024, as Member of the Lottery Commission.

Sincerely, JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9294.

May 8, 2019

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.

LARRY BROWN, appointed May 8, 2019, for the term ending June 30, 2022, as Member of the Workforce Training and Education Coordinating Board.

Sincerely, JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9295.

May 29, 2019

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.

PETER M. GAYTON, appointed May 29, 2019, for the term ending January 1, 2025, as Member of the Personnel Resources Board.

Sincerely, JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9296.

June 18, 2019

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.

ISABEL A. COLE, appointed June 18, 2019, for the term ending June 17, 2025, as Member of the Board of Industrial Insurance Appeals.

Sincerely, JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9297.

June 19, 2019

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.

LUCERA M. COX, appointed July 1, 2019, for the term ending June 30, 2020, as Member of the The Evergreen State College Board of Trustees.

Sincerely, JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9298.

June 19, 2019

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.

ALEX R. HARRINGTON, appointed July 1, 2019, for the term ending June 30, 2020, as Member of the Central Washington University Board of Trustees.

Sincerely, JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9299.

June 19, 2019

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.

GRACE HUANG, reappointed July 1, 2019, for the term ending June 30, 2022, as Member of the Washington State Women's Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on State Government, Tribal Relations & Elections as Senate Gubernatorial Appointment No. 9300.

June 19, 2019

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.

MIA A. HYDE, appointed July 1, 2019, for the term ending June 30, 2020, as Member of the Eastern Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9301.

June 19, 2019

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.

HUNTER R. STUEHM, appointed July 1, 2019, for the term ending June 30, 2020, as Member of the Western Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9302.

June 20, 2019

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.

JEANNE K. BENNETT, appointed June 20, 2019, for the term ending September 30, 2021, as Member of the Clark College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9303.

July 1, 2019

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.

SHIV BATRA, reappointed July 1, 2019, for the term ending June 30, 2025, as Member of the Transportation Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9304.

July 1, 2019

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.

PATRICK GALLAHER, appointed July 1, 2019, for the term ending January 19, 2020, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9305.

July 1, 2019

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.

ROY D. JENNINGS, reappointed July 1, 2019, for the term ending June 30, 2025, as Member of the Transportation Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Transportation as Senate Gubernatorial Appointment No. 9306.

July 1, 2019

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.

JOHANNA MAE B. PANTIG, appointed July 1, 2019, for the term ending June 30, 2020, as Member of the Washington State University Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9307.

July 1, 2019

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.

DANIELA H. SUAREZ, appointed July 1, 2019, for the term ending June 30, 2020, as Member of the University of Washington Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9308.

July 2, 2019

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.

JUDY GUENTHER, reappointed July 2, 2019, for the term ending January 19, 2023, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,
JAY INSLEE, Governor

THIRD DAY, JANUARY 15, 2020

2020 REGULAR SESSION

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9309.

July 3, 2019

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.

BUD E. SIZEMORE, reappointed July 3, 2019, for the term ending June 30, 2025, as Member of the Gambling Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9310.

July 3, 2019

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.

PAYTON O. SWINFORD, appointed July 3, 2019, for the term ending June 30, 2020, as Member of the Washington Student Achievement Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9311.

July 16, 2019

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.

TOM ECKMANN, appointed July 16, 2019, for the term ending September 30, 2020, as Member of the Olympic College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9312.

July 16, 2019

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.

TENESHA FREMSTAD, appointed July 16, 2019, for the term ending June 30, 2022, as Member of the Professional Educator Standards Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9313.

July 16, 2019

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.

AMY L. FROST, reappointed July 15, 2019, for the term ending June 30, 2023, as Member of the Professional Educator Standards Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9314.

July 16, 2019

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.

JINHUA JOHNSON, appointed July 16, 2019, for the term ending June 30, 2020, as Member of the Bellevue College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9315.

July 16, 2019

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.

KEN A. LARSEN, reappointed July 16, 2019, for the term ending June 30, 2023, as Member of the Housing Finance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Housing Stability & Affordability as Senate Gubernatorial Appointment No. 9316.

July 16, 2019

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.

WENDY L. LAWRENCE, reappointed July 16, 2019, for the term ending June 30, 2023, as Member of the Housing Finance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Housing Stability & Affordability as Senate Gubernatorial Appointment No. 9317.

July 16, 2019

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 MALLOCH, reappointed July 16, 2019, for the term ending June 30, 2023, as Member of the Chehalis Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9318.

August 7, 2019

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.

FLORENCE S. CHANG, appointed August 7, 2019, for the term ending September 30, 2022, as Member of the Bates Technical College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9319.

August 7, 2019

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.

CRAIG A. RITCHIE, appointed August 7, 2019, for the term ending January 19, 2023, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9320.

August 7, 2019

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.

WALLY WEBSTER II, appointed October 1, 2019, for the term ending September 30, 2024, as Member of the Edmonds Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9321.

August 7, 2019

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.

STEVEN A. ZIMMERMAN, appointed August 2, 2019, for the term ending September 30, 2023, as Member of the Wenatchee Valley College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9322.

August 13, 2019

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.

GUADALUPE GAMBOA, reappointed June 18, 2019, for the term ending June 17, 2024, as Member of the Human Rights Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9323.

August 13, 2019

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.

MOLLY F. LINVILLE, appointed July 22, 2019, for the term ending December 31, 2024, as Member of the Fish and Wildlife Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9324.

August 20, 2019

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 R. ANDERSON, appointed July 22, 2019, for the term ending December 31, 2024, as Member of the Fish and Wildlife Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9325.

August 20, 2019

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.

CANDELARIO GONZALEZ, appointed August 20, 2019, for the term ending September 30, 2023, as Member of the Olympic College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9326.

September 16, 2019

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.

SOPHIA DANENBERG, appointed September 16, 2019, for the term ending December 31, 2020, as Member of the Parks and Recreation Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9327.

September 18, 2019

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

THIRD DAY, JANUARY 15, 2020

2020 REGULAR SESSION

I have the honor to submit the following reappointment, subject to your confirmation.

LOUISE CHERNIN, reappointed September 18, 2019, for the term ending September 30, 2024, as Member of the Seattle College District Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9328.

September 18, 2019

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.

URIEL R. INIGUEZ, reappointed September 18, 2019, for the term ending September 30, 2025, as Member of the Eastern Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9329.

September 18, 2019

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.

SHARMILA SWENSON, appointed September 18, 2019, for the term ending September 30, 2024, as Member of the Highline College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9330.

September 18, 2019

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 VINCENT, appointed September 18, 2019, for the term ending June 30, 2023, as Member of the Washington Student Achievement Council.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9331.

September 19, 2019

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.

MEGHAN B. QUINT, appointed September 19, 2019, for the term ending September 30, 2024, as Member of the Cascadia College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9332.

September 19, 2019

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.

CAROLINA T. SUN-WIDROW, appointed September 18, 2019, for the term ending June 30, 2024, as Member of the Pollution Control/Shorelines Hearings Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9333.

September 20, 2019

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.

ADRIANNE WAGNER, appointed September 20, 2019, for the term ending September 30, 2023, as Member of the Edmonds Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9334.

September 26, 2019

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.

JUANITA D. RICHARDS, appointed October 1, 2019, for the term ending September 30, 2024, as Member of the Big Bend Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9335.

October 3, 2019

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.

WENDY K. BOHLKE, reappointed October 3, 2019, for the term ending September 30, 2024, as Member of the Whatcom Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9336.

October 3, 2019

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 C. BRYANT, appointed October 3, 2019, for the term ending September 30, 2024, as Member of the Olympic College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9337.

October 3, 2019

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.

KRISTIN M. RAY, appointed October 3, 2019, for the term ending September 30, 2024, as Member of the Pierce College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9338.

October 8, 2019

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.

MEGAN S. O'BRYAN, reappointed October 7, 2019, for the term ending September 30, 2024, as Member of the Skagit Valley College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9339.

October 8, 2019

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.

EBEN POBEE, appointed October 8, 2019, for the term ending September 30, 2024, as Member of the Shoreline Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9340.

October 8, 2019

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.

COLLEEN F. PONTO, appointed October 7, 2019, for the term ending September 30, 2020, as Member of the Cascadia College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9341.

October 14, 2019

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 G. FUKUTAKI, appointed October 3, 2019, for the term ending September 30, 2024, as Member of the Bellevue College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9342.

October 14, 2019

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 E. HAMILTON, reappointed October 10, 2019, for the term ending September 30, 2024, as Member of the Lake Washington Institute of Technology Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9343.

October 14, 2019

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 D. WILSON, reappointed October 10, 2019, for the term ending September 30, 2024, as Member of the Community Colleges of Spokane Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9344.

October 21, 2019

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.

SARA I. CATE, reappointed October 17, 2019, for the term ending September 30, 2024, as Member of the Yakima Valley Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9345.

October 21, 2019

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.

CONSTANCE W. RICE, appointed October 21, 2019, for the term ending September 30, 2025, as Member of the University of Washington Board of Regents.

Sincerely,
JAY INSLEE, Governor

THIRD DAY, JANUARY 15, 2020

2020 REGULAR SESSION

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9346.

October 21, 2019

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.

ROGELIO RIOJAS, reappointed October 21, 2019, for the term ending September 30, 2025, as Member of the University of Washington Board of Regents.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9347.

October 25, 2019

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.

MICHELLE LIBERTY, appointed October 25, 2019, for the term ending September 30, 2024, as Member of the Walla Walla Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9348.

October 30, 2019

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.

JERRY J. MENINICK, appointed October 30, 2019, for the term ending June 12, 2023, as Member of the Columbia River Gorge Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9349.

November 19, 2019

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.

F. MARIBEL VILCHEZ, appointed November 19, 2019, for the term ending June 30, 2023, as Member of the Professional Educator Standards Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9350.

November 20, 2019

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.

WESLEY HENSON, appointed November 20, 2019, for the term ending July 1, 2024, as Member of the Washington Center for Deaf and Hard of Hearing Youth.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9351.

November 22, 2019

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.

ZABRINA M. JENKINS, appointed November 22, 2019, for the term ending September 30, 2024, as Member of the Central Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9352.

November 25, 2019

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.

WARREN P. ROCKEFELLER, appointed November 25, 2019, for the term ending July 15, 2023, as a Chair of the Salmon Recovery Funding Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9353.

November 25, 2019

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.

JEROMY C. SULLIVAN, reappointed November 25, 2019, for the term ending July 15, 2023, as Member of the Salmon Recovery Funding Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9354.

December 4, 2019

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.

NORRIS "NORRIE" GREGOIRE, appointed December 4, 2019, for the term ending August 2, 2022, as Member of the Sentencing Guidelines Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate
Gubernatorial Appointment No. 9355.

December 4, 2019

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.

DONA PONEPINTO, appointed December 4, 2019, for the
term ending September 30, 2024, as Member of the Tacoma
Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9356.

December 4, 2019

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.

STANLEY RUMBAUGH, appointed December 4, 2019, for
the term ending August 2, 2022, as Member of the Sentencing
Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate
Gubernatorial Appointment No. 9357.

December 4, 2019

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.

CHRISTIE E. SKOORSMITH, appointed December 4, 2019,
for the term ending October 1, 2022, as Member of the Small
Business Export Finance Assistance Center Board of Directors.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Financial Institutions, Economic
Development & Trade as Senate Gubernatorial Appointment No.
9358.

December 5, 2019

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.

JENNIFER R. ALBRIGHT, reappointed December 5, 2019,
for the term ending August 2, 2022, as Member of the Sentencing
Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate
Gubernatorial Appointment No. 9359.

December 12, 2019

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.

CAROL MITCHELL, appointed December 12, 2019, for the
term ending September 30, 2024, as Member of the Clover Park
Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9360.

December 12, 2019

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.

MIGUEL PEREZ-GIBSON, appointed December 12, 2019,
for the term ending September 30, 2025, as Member of the The
Evergreen State College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce
Development as Senate Gubernatorial Appointment No. 9361.

December 16, 2019

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.

YONA MAKOWSKI, reappointed December 16, 2019, for
the term ending December 31, 2022, as Member of the Investment
Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Ways & Means as Senate
Gubernatorial Appointment No. 9362.

December 17, 2019

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.

JENNIFER G. ACUNA, appointed December 17, 2019, for
the term ending July 1, 2024, as Member of the Washington
Center for Deaf and Hard of Hearing Youth.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education
as Senate Gubernatorial Appointment No. 9363.

January 3, 2020

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.

JASON R. HAMILTON, appointed January 3, 2020, for the
term ending December 26, 2021, as Member of the Board of
Pilotage Commissioners.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Transportation as Senate
Gubernatorial Appointment No. 9364.

January 3, 2020

THIRD DAY, JANUARY 15, 2020

2020 REGULAR SESSION

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.

NANCY L. ISSERLIS, appointed January 3, 2020, for the term ending December 31, 2024, as Member of the Public Disclosure Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on State Government, Tribal Relations & Elections as Senate Gubernatorial Appointment No. 9365.

January 8, 2020

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 HAND, appointed January 20, 2020, for the term ending June 30, 2023, as Member of the Professional Educator Standards Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9366.

MOTION

On motion of Senator Liias, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MOTION

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

INTRODUCTION AND FIRST READING

SB 6287 by Senators Pedersen, Holy, Dhingra, Rivers, Kuderer, Salomon, Conway, Keiser, and Wilson, C.

AN ACT Relating to guardianships and conservatorships; amending RCW 11.130.185, 11.130.190, 11.130.195, 11.130.205, 11.130.210, 11.130.215, 11.130.220, 11.130.225, 11.130.230, 11.130.240, 11.130.245, 11.130.250, 11.130.915, 13.34.062, 13.34.110, 13.34.136, 13.34.145, 13.34.155, 13.34.210, 13.50.100, 11.130.285, 11.130.290, 11.130.320, 11.130.330, 11.130.335, 11.130.340, 11.130.345, 11.130.360, 11.130.365, 11.130.370, 11.130.385, 11.130.390, 11.130.410, 11.130.415, 11.130.420, 11.130.425, 11.130.430, 11.130.435, 11.130.505, 11.130.515, 11.130.520, 11.130.530, 11.130.550, 11.130.670, 11.130.010, 11.130.040, 11.130.100, 11.130.105, 11.130.115, 11.130.140, 11.130.265, 11.130.280, 11.130.380, 11.130.605, 11.130.080, 11.130.120, 11.130.295, 11.130.625, 11.130.610, 11.130.615, 2.72.005, 2.72.020, 2.72.030, 11.28.120, 11.90.020, 11.90.230, 11.90.250, 11.90.400, 11.90.410, 2.56.150, 4.16.190, 7.28.090, 7.36.020, 9.35.005, 9A.44.010, 11.02.005, 11.28.185, 11.76.080, 11.86.021, 11.90.210, 11.96A.050, 11.96A.080, 11.96A.120, 11.96A.130, 11.96A.150, 11.96A.220, 11.103.030, 11.107.060, 11.120.140, 11.125.400,

11.125.410, 13.32A.160, 13.34.270, 25.15.131, 29A.08.515, 70.58A.010, 70.97.040, 71.05.360, 71.32.020, 71A.16.030, 73.36.050, 74.34.020, 74.34.067, 74.34.135, 74.34.163, and 74.42.430; reenacting and amending RCW 13.34.030, 2.72.010, 7.70.065, and 18.20.020; adding new sections to chapter 11.130 RCW; and providing an effective date.

Referred to Committee on Law & Justice.

SB 6288 by Senators Dhingra, Pedersen, Frockt, Carlyle, Wilson, C., Kuderer, Das, Hunt, Lovelett, Nguyen and Saldaña

AN ACT Relating to the Washington office of firearm violence prevention; adding a new chapter to Title 43 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 6289 by Senators Dhingra, Kuderer, Lovelett, Darneille, Carlyle, Wilson, C., Das and Frockt

AN ACT Relating to the restoration of the right to possess a firearm; reenacting and amending RCW 9.41.040 and 9.41.047; and adding a new section to chapter 9.41 RCW.

Referred to Committee on Law & Justice.

SB 6290 by Senators Short, Mullet, and Wilson, C.

AN ACT Relating to contributions to and eligibility for school employee benefit plans; and amending RCW 41.05.050 and 41.05.740.

Referred to Committee on Ways & Means.

SB 6291 by Senators Van De Wege, Rolfes, Walsh, Hasegawa, Hunt, Keiser, Randall, Stanford, and Wilson, C.

AN ACT Relating to requiring coverage for hearing instruments for children and adolescents; amending RCW 48.43.0128; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long Term Care.

SB 6292 by Senators Salomon, Nguyen, Wilson, C., Van De Wege, Rolfes, Lovelett, Carlyle, Hasegawa and Randall

AN ACT Relating to water rights sales; amending RCW 90.42.100; and adding a new section to chapter 90.03 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6293 by Senators Salomon, Kuderer, Lovelett, Wilson, C., Mullet, Randall, Keiser, Wellman, Das and Nguyen

AN ACT Relating to civil liability for materially aiding domestic terrorism; adding a new section to chapter 4.24 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 6294 by Senators Salomon, Kuderer, Pedersen, Wellman, Wilson, C., Carlyle and Nguyen

AN ACT Relating to concealed pistol license training requirements; reenacting and amending RCW 9.41.070; and providing an effective date.

Referred to Committee on Law & Justice.

SB 6295 by Senators Salomon, Pedersen, Carlyle, Kuderer, Wilson, C., Randall and Nguyen
AN ACT Relating to false reporting of a crime or emergency; amending RCW 9A.84.040; reenacting and amending RCW 9.94A.515; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6296 by Senators Padden, Pedersen, Holy, Wellman, Wagoner, Wilson, C. and Mullet
AN ACT Relating to health care benefits for public school employees; and amending RCW 41.05.740.

Referred to Committee on Ways & Means.

SB 6297 by Senators Padden, Wellman, Wagoner, Wilson, C., Hawkins, Billig and Zeiger
AN ACT Relating to recognizing the experience of existing early learning providers to meet educational requirements; and adding a new section to chapter 43.216 RCW.

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

SB 6298 by Senators Padden, O'Ban and Wagoner
AN ACT Relating to the department of corrections; amending RCW 72.09.010, 9.94A.480, 9.94A.585, 9.94A.704, and 9.94A.704; adding a new section to chapter 9.94A RCW; creating new sections; providing an effective date; and providing expiration dates.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6299 by Senators Nguyen, Liias, and Wilson, C.
AN ACT Relating to creating a business and occupation tax deduction for certain amounts received by zoological facilities; adding a new section to chapter 82.04 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6300 by Senators Rivers, Pedersen, Zeiger, Kuderer, Frockt and Lovelett
AN ACT Relating to animal welfare; amending RCW 16.08.100, 16.52.011, 16.52.085, 16.52.095, 16.52.200, 16.52.205, 16.52.207, 16.54.020, and 16.54.030; repealing RCW 16.08.020, 16.08.030, 16.52.110, and 16.52.165; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6301 by Senators Van De Wege, Warnick, Salomon, Lovelett, Carlyle, Walsh, Hobbs, Rolfes, Hasegawa, and Wilson, C.
AN ACT Relating to public interest considerations in the transfer or change of surface water rights; amending RCW 90.03.380 and 90.03.380; adding a new section to chapter 82.45 RCW; adding a new section to chapter 43.21A RCW; providing an effective date; and providing expiration dates.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6302 by Senators Rolfes, Saldaña, Randall, Takko, Das, Hasegawa, Hunt, Lovelett, Nguyen, and Wilson, C.
AN ACT Relating to prohibiting local governments from limiting the number of unrelated persons occupying a home; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.01 RCW; and creating a new section.

Referred to Committee on Housing Stability & Affordability.

SB 6303 by Senators Liias, Cleveland, Randall, Pedersen, Wilson, C., Frockt, Lovelett, Saldaña and Stanford
AN ACT Relating to testing and treatment for sexually transmitted infections; adding new sections to chapter 70.24 RCW; adding a new section to chapter 48.43 RCW; creating new sections; providing an effective date; and providing expiration dates.

Referred to Committee on Health & Long Term Care.

SB 6304 by Senators Liias, King, Darneille, Saldaña, Das, Dhingra, Hasegawa, Lovelett, Nguyen, Stanford, Wilson, C. and Zeiger
AN ACT Relating to assisting homeless individuals in obtaining Washington state identicards; amending RCW 46.20.117; and adding a new section to chapter 43.216 RCW.

Referred to Committee on Transportation.

SB 6305 by Senators Liias, Braun, Wagoner, and Wilson, C.
AN ACT Relating to library districts; and amending RCW 27.12.222 and 27.15.020.

Referred to Committee on Local Government.

SB 6306 by Senators Liias, Van De Wege, Warnick, Rolfes, Short, Nguyen, Das, Lovelett, Randall, Saldaña, and Wilson, C.
AN ACT Relating to creating the Washington soil health initiative; and adding a new chapter to Title 15 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6307 by Senators Liias, Kuderer, Dhingra, Saldaña, Pedersen, Frockt, and Wilson, C.
AN ACT Relating to communicating mass violence threats; amending RCW 9A.46.060; reenacting and amending RCW 9.41.040 and 9.94A.515; adding a new chapter to Title 9A RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6308 by Senators Zeiger, O'Ban, Padden and Wagoner
AN ACT Relating to conducting a study of data systems used by the department of corrections and county jails; adding a new section to chapter 72.09 RCW; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6309 by Senators Lovelett, Wagoner, Nguyen, Walsh, Das, Salomon, Randall, Billig, Dhingra, Hasegawa, Saldaña, and Wilson, C.

AN ACT Relating to expanding access to nutritious food; amending RCW 43.70.700; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6310 by Senators Keiser, Conway, Wellman, Saldaña, Stanford, Nguyen, and Wilson, C.

AN ACT Relating to a report of employers with employees receiving certain public assistance programs; adding a new section to chapter 49.46 RCW; and creating new sections.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6311 by Senators Zeiger, O'Ban, Dhingra and Wagoner

AN ACT Relating to persons with substance use disorders; adding new sections to chapter 71.24 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 6312 by Senators Zeiger, O'Ban and Rolfes

AN ACT Relating to making the nonprofit and library fund-raising exemption permanent; amending RCW 82.12.225; and creating a new section.

Referred to Committee on Ways & Means.

SB 6313 by Senators Liias, Kuderer, Hunt, Randall, Mullet, Keiser, Billig, Saldaña, Darneille, Hasegawa, Takko, Rolfes, McCoy, Stanford, Das, Dhingra, Lovelett, Nguyen, and Wilson, C.

AN ACT Relating to increasing opportunities for young voters; amending RCW 29A.08.210, 29A.08.230, 29A.08.330, 29A.08.810, 29A.08.355, 46.20.155, 28A.230.094, 29A.40.160, 29A.32.031, 29A.32.241, 29A.04.061, 29A.08.110, 29A.08.170, 29A.08.172, 29A.08.174, 29A.08.359, 29A.84.140, 46.20.156, and 29A.08.140; adding a new section to chapter 29A.40 RCW; creating new sections; and providing effective dates.

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

SB 6314 by Senators Holy, King, O'Ban, Liias, Wagoner, Wilson, C. and Zeiger

AN ACT Relating to protecting taxpayers from home foreclosure; and amending RCW 84.56.020.

Referred to Committee on Ways & Means.

SB 6315 by Senators Holy, Padden, Short, Schoesler, Wagoner, and Wilson, L.

AN ACT Relating to enforcement of the policies of the department of ecology; and adding a new section to chapter 34.05 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 6316 by Senators Holy, Pedersen, Padden, Dhingra, Hasegawa and Lovelett

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 Law & Justice.

SB 6317 by Senators Holy, Takko, Short and Padden

AN ACT Relating to the taxation of concrete pumping services; and adding a new section to chapter 82.02 RCW.

Referred to Committee on Ways & Means.

SB 6318 by Senators Liias, Lovelett, and Wilson, C.

AN ACT Relating to extending the electric marine battery incentive; amending RCW 82.08.996 and 82.12.996; amending 2019 c 287 s 20 (uncodified); providing an effective date; and providing expiration dates.

Referred to Committee on Transportation.

SB 6319 by Senators Takko, Short, Dhingra, Lovelett, and Wilson, C.

AN ACT Relating to administration of the senior property tax exemption program; and amending RCW 84.36.387 and 84.36.385.

Referred to Committee on Ways & Means.

SB 6320 by Senators O'Ban, Zeiger, Honeyford, Mullet, Wagoner, Wilson, C., and Wilson, L.

AN ACT Relating to the ability of a minor to operate a lemonade business on an occasional basis; amending RCW 70.05.060; 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; and creating new sections.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6321 by Senators O'Ban and Zeiger

AN ACT Relating to the compliance of certain national transportation safety board recommendations; adding a new section to chapter 81.04 RCW; and adding a new section to chapter 47.01 RCW.

Referred to Committee on Transportation.

SB 6322 by Senators O'Ban, Padden and Wagoner

AN ACT Relating to addressing the department of corrections early release and inmate medical care errors; amending RCW 43.06C.010, 43.06C.020, 43.06C.040, 43.06C.060, 49.60.210, and 43.131.426; adding new sections to chapter 43.06C RCW; creating new sections; and repealing RCW 43.06C.030.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6323 by Senator Van De Wege

AN ACT Relating to the board of engineers and land surveyors' appointment of its director and agreement with

the department of licensing; and amending RCW 18.43.035 and 18.43.200.

Referred to Committee on Labor & Commerce.

SB 6324 by Senators Takko and Carlyle

AN ACT Relating to special purpose district financial reporting; amending RCW 43.09.230, 36.96.010, 36.96.030, and 36.96.070; adding a new section to chapter 36.96 RCW; and adding a new section to chapter 84.55 RCW.

Referred to Committee on Local Government.

SB 6325 by Senators Takko and Mullet

AN ACT Relating to creating a new on-premises endorsement for domestic wineries, domestic breweries, and microbreweries; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Labor & Commerce.

SB 6326 by Senator Warnick

AN ACT Relating to municipal conflicts of interest; and amending RCW 42.23.030.

Referred to Committee on Local Government.

SB 6327 by Senator Warnick

AN ACT Relating to issuing temporary permits in lieu of certificates of competency to electricians from other states; and amending RCW 19.28.231.

Referred to Committee on Labor & Commerce.

SB 6328 by Senators Warnick, Hawkins, Kuderer, Zeiger, Fortunato, and Wilson, C.

AN ACT Relating to creating a local infrastructure investment program to support the development of affordable housing, workforce housing, and revitalization efforts; and adding a new chapter to Title 39 RCW.

Referred to Committee on Housing Stability & Affordability.

SB 6329 by Senator Warnick

AN ACT Relating to misbranding of meat and poultry products; amending RCW 15.130.110; and adding a new section to chapter 15.130 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6330 by Senators Keiser, Rivers, Becker, Randall, Short, Conway, and Wilson, C.

AN ACT Relating to health carriers offering dental only coverage; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long Term Care.

SB 6331 by Senators Mullet, and Wilson, L.

AN ACT Relating to captive insurers; amending RCW 48.14.020, 48.14.095, 48.15.160, and 82.04.320; adding a new chapter to Title 48 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 6332 by Senators Salomon, Nguyen, Carlyle, Holy and Randall

AN ACT Relating to the potency of marijuana products; amending RCW 69.50.375 and 69.50.325; reenacting and amending RCW 69.50.357 and 69.50.101; creating a new section.

Referred to Committee on Labor & Commerce.

SB 6333 by Senators Salomon, Carlyle, Kuderer, Nguyen, and Wilson, C.

AN ACT Relating to reducing youth access to products intended for consumption only by adults age twenty-one and over; amending RCW 69.50.369, 70.345.020, 70.345.180, 28A.210.310, and 70.345.150; reenacting and amending RCW 70.345.010; adding new sections to chapter 70.345 RCW; adding a new section to chapter 28B.10 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 6334 by Senators Salomon, Nguyen, Das, and Wilson, C.

AN ACT Relating to urban housing supply; amending RCW 36.70A.600, 43.21C.495, 36.70A.620, and 43.21C.500; reenacting and amending RCW 36.70A.030; creating a new section; and providing an expiration date.

Referred to Committee on Housing Stability & Affordability.

SB 6335 by Senators Salomon, Wilson, C., Nguyen, Das and Lovelett

AN ACT Relating to addressing climate change through growth management; amending RCW 36.70A.020, 36.70A.480, 36.70A.130, 36.70A.210, 36.70A.100, and 47.80.030; reenacting and amending RCW 36.70A.070; adding new sections to chapter 36.70A RCW; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Local Government.

SB 6336 by Senators Hunt, Hasegawa, Keiser, Nguyen, and Wilson, C.

AN ACT Relating to allowing the use of parental leave after a pregnancy disability is resolved; and amending RCW 41.04.655.

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

SB 6337 by Senators Hunt, and Wilson, C.

AN ACT Relating to early retirement reduction factors for certain members of the teachers retirement system and the public safety employees retirement system; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.35 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6338 by Senators Wagoner, Hobbs and Randall

AN ACT Relating to veterans' scoring criteria status in examinations; and amending RCW 41.04.010.

THIRD DAY, JANUARY 15, 2020

2020 REGULAR SESSION

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

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6339 by Senators Hunt, Holy, Wellman, Wilson, L. and Mullet

AN ACT Relating to creating a computer science grant program; adding a new section to chapter 28A.300 RCW; creating a new section; making an appropriation; and providing an expiration date.

SB 6346 by Senators Takko, McCoy, Saldaña, Darneille, Hunt, Lovelett, Wilson, C. and Zeiger

AN ACT Relating to establishing tribal representation on the emergency management council; and amending RCW 38.52.040.

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

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

SB 6340 by Senators Conway, King, Hunt, Mullet, Saldaña, Stanford and Zeiger

AN ACT Relating to preserving the ability of auto dealers to offer consumers products not supplied by an auto manufacturer; amending RCW 63.14.043; and adding a new section to chapter 46.96 RCW.

SB 6347 by Senators Wagoner, Lovelett, Hobbs, Holy, Muzzall and Randall

AN ACT Relating to extending the expiration date for a concealed pistol license; and reenacting and amending RCW 9.41.070.

Referred to Committee on Labor & Commerce.

Referred to Committee on Law & Justice.

SB 6341 by Senators Stanford and King

AN ACT Relating to requiring the liquor and cannabis board to provide written interpretations of liquor statutes and rules; adding a new section to chapter 66.08 RCW; and creating a new section.

SB 6348 by Senators Keiser, Conway, Schoesler, Padden and King

AN ACT Relating to granting relief of unemployment benefit charges when discharge is required by law and removing outdated statutory language; amending RCW 50.12.200, 50.20.190, 50.29.021, 50.50.070, and 50A.05.070; creating a new section; and repealing RCW 50.29.020.

Referred to Committee on Labor & Commerce.

Referred to Committee on Labor & Commerce.

SB 6342 by Senators Dhingra, Das, Lovelett, Mullet, Stanford, and Wilson, C.

AN ACT Relating to chemical contaminants in drinking water; amending RCW 70.142.050; and adding new sections to chapter 70.142 RCW.

SB 6349 by Senators Keiser, King and Conway

AN ACT Relating to paid family and medical leave; amending RCW 50A.05.010, 50A.10.010, 50A.10.040, 50A.15.020, 50A.15.060, 50A.15.080, 50A.15.100, 50A.25.070, 50A.30.010, 50A.30.035, 50A.40.010, 50A.40.020, 50A.40.030, 50A.50.010, and 26.23.060; adding new sections to chapter 50A.40 RCW; and adding a new section to chapter 50A.05 RCW.

Referred to Committee on Environment, Energy & Technology.

Referred to Committee on Labor & Commerce.

SB 6343 by Senators Nguyen, Darneille, and Wilson, C.

AN ACT Relating to the abatement of child support for incarcerated obligors; amending RCW 26.23.050, 74.20A.055, 74.20A.056, 74.20A.059, and 26.09.170; reenacting and amending RCW 74.20A.056; adding new sections to chapter 26.09 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 6350 by Senators Fortunato and Braun

AN ACT Relating to limiting state and local taxes, fees, and other charges relating to vehicles; amending RCW 46.17.355 and 46.17.323; reenacting and amending RCW 46.17.350; adding a new section to chapter 46.17 RCW; creating new sections; repealing RCW 46.17.365 and 46.68.415; and declaring an emergency.

SB 6344 by Senators Lovelett, and Wilson, C.

AN ACT Relating to school district enrichment levies; and amending RCW 84.52.0531.

Referred to Committee on Transportation.

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

SB 6351 by Senators Nguyen, Hasegawa, Kuderer, Lovelett, Wilson, C., Darneille, Frockt and Saldaña

AN ACT Relating to working connections child care eligibility; amending RCW 28B.50.248; reenacting and amending RCW 43.216.135; and adding a new section to chapter 43.216 RCW.

SB 6345 by Senators Honeyford and Warnick

AN ACT Relating to establishing the water infrastructure program; adding a new chapter to Title 90 RCW; adding a new chapter to Title 43 RCW; providing a contingent effective date; and providing for submission of certain sections of this act to a vote of the people.

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

SB 6352 by Senator Warnick

AN ACT Relating to eliminating expedited processing of alternative energy resource facilities before the energy

facility site evaluation council; amending RCW 80.50.075; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 6353 by Senators Holy, Hunt, Padden, Salomon, Lovelett and Mullet

AN ACT Relating to fiscal notes for supreme court decisions; and amending RCW 43.88A.010, 43.88A.020, 43.88A.030, 43.132.020, 43.132.040, 43.132.810, and 28A.300.0401.

Referred to Committee on Ways & Means.

SB 6354 by Senators King, Cleveland, Keiser and Honeyford

AN ACT Relating to providing enhanced payment to low volume, small rural hospitals; amending RCW 74.09.5225; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 6355 by Senators Van De Wege, Short, Takko, King, Mullet, Salomon, Zeiger, Conway, Sheldon, Liias, Warnick, Honeyford and Wagoner

AN ACT Relating to recognizing the contributions of the state's forest products sector as part of the state's global climate response; amending RCW 70.235.005 and 43.330.060; adding a new section to chapter 70.235 RCW; adding a new section to chapter 89.08 RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6356 by Senators Padden, Kuderer, Holy, Dhingra, Wilson, L., Hasegawa, O'Ban and Wagoner

AN ACT Relating to requiring training on human trafficking; amending RCW 70.62.260; adding a new section to chapter 70.62 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 6357 by Senators Conway and King

AN ACT Relating to increasing the dollar limit of pull-tabs; and amending RCW 9.46.110.

Referred to Committee on Labor & Commerce.

SB 6358 by Senators Randall, Short, and Wilson, C.

AN ACT Relating to requiring medicaid managed care organizations to provide reimbursement of health care services provided by substitute providers; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health & Long Term Care.

SB 6359 by Senators Short and Randall

AN ACT Relating to creating regulation exemptions for rural health clinics providing services in a designated home health shortage area; and amending RCW 70.127.040.

Referred to Committee on Health & Long Term Care.

SB 6360 by Senators Van De Wege, Cleveland, Mullet, Saldaña and Rolfes

AN ACT Relating to eliminating exemptions from restrictions on the use of perfluoroalkyl and polyfluoroalkyl substances in firefighting foam; amending RCW 70.75A.020; reenacting and amending RCW 70.75A.005; and providing an effective date.

Referred to Committee on Environment, Energy & Technology.

SB 6361 by Senators Kuderer, Hunt, and Wilson, C.

AN ACT Relating to the administration of election campaign activities and reporting statements of financial affairs; amending RCW 42.17A.005, 42.17A.100, 42.17A.105, 42.17A.700, 42.17A.710, and 42.17A.785; and adding a new section to chapter 42.17A RCW.

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

SB 6362 by Senators Randall, and Wilson, C.

AN ACT Relating to services for children with multiple handicaps; and repealing RCW 74.26.010, 74.26.020, 74.26.030, 74.26.040, 74.26.050, and 74.26.060.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6363 by Senators Takko and Warnick

AN ACT Relating to tracked and wheeled all-terrain vehicles; amending RCW 46.10.300; adding a new section to chapter 46.04 RCW; adding a new section to chapter 46.10 RCW; and adding a new section to chapter 46.09 RCW.

Referred to Committee on Transportation.

SB 6364 by Senators Zeiger and Mullet

AN ACT Relating to incentivizing smaller, more affordable single-family home development through impact fee schedule modifications; and amending RCW 82.02.060.

Referred to Committee on Housing Stability & Affordability.

SB 6365 by Senators Warnick and Van De Wege

AN ACT Relating to payments in lieu of real property taxes by the department of fish and wildlife; amending RCW 77.12.203; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6366 by Senators Mullet, Rivers, Kuderer, Zeiger, Saldaña, Lovelett and Nguyen

AN ACT Relating to exempting a sale or transfer of real property for affordable housing to a nonprofit entity, housing authority, or public corporation from the real estate excise tax; amending RCW 82.45.010; reenacting and amending RCW 82.45.010; creating new sections; providing effective dates; and providing an expiration date.

Referred to Committee on Housing Stability & Affordability.

SB 6367 by Senators Conway, Hasegawa and Liias

THIRD DAY, JANUARY 15, 2020

2020 REGULAR SESSION

AN ACT Relating to changing the definition of public employee for public employees' collective bargaining; and amending RCW 41.56.030.

Referred to Committee on Labor & Commerce.

SB 6368 by Senators Nguyen, Lovelett, Darneille, Stanford, Das, Dhingra, Hunt, Saldaña, and Wilson, C.

AN ACT Relating to sick leave for K-12 employees; amending RCW 28A.400.300; and creating a new section.

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

SB 6369 by Senators Nguyen, Darneille, Stanford, Das, and Wilson, C.

AN ACT Relating to individuals serving community custody terms; amending RCW 9.94A.737, 9.94A.631, and 9.94A.716; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6370 by Senators Nguyen, Padden, Dhingra, Darneille, Stanford, Das, Lovelett, and Wilson, C.

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

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6371 by Senators Hunt, Warnick, Saldaña, Lias, Brown, Wilson, L., Das, Van De Wege and Nguyen

AN ACT Relating to school library information and technology programs; amending RCW 28A.150.260 and 28A.320.240; adding a new section to chapter 28A.300 RCW; adding new sections to chapter 28A.630 RCW; adding a new section to chapter 28A.320 RCW; and providing expiration dates.

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

SB 6372 by Senators King, Braun and Schoesler

AN ACT Relating to structured settlements; and amending RCW 51.04.063.

Referred to Committee on Labor & Commerce.

SB 6373 by Senators King, Braun and Schoesler

AN ACT Relating to allowing self-insurers to accept certain industrial insurance claims; and amending RCW 51.14.130.

Referred to Committee on Labor & Commerce.

SB 6374 by Senators Holy, Mullet, Padden, Wilson, L., and Wilson, C.

AN ACT Relating to apprenticeship materials for dual credit scholarship programs; and amending RCW 28B.76.730.

Referred to Committee on Higher Education & Workforce Development.

SB 6375 by Senators Nguyen, Darneille, Takko, Hunt, Wilson, C., Das, Dhingra, Hasegawa, Randall, Keiser, Van De Wege, Lovelett, Pedersen and Stanford

AN ACT Relating to private detention facilities; adding a new chapter to Title 70 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6376 by Senators Frockt, Mullet, Rolfes and Honeyford

AN ACT Relating to forecasting state debt capacity; amending RCW 82.33.010; reenacting and amending RCW 82.33.020; adding a new section to chapter 82.33 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SB 6377 by Senators Zeiger, Becker, Holy, Schoesler, Erickson, Warnick, Fortunato, Walsh, O'Ban, Rivers, and Wilson, L.

AN ACT Relating to employment opportunity training programs in restaurants; adding a new section to chapter 49.46 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 6378 by Senators Kuderer, Darneille, Das and Lovelett

AN ACT Relating to residential tenant protections; amending RCW 59.18.057, 59.18.365, 59.18.410, 59.18.230, 59.18.290, 59.18.140, and 43.31.605; creating a new section; and declaring an emergency.

Referred to Committee on Housing Stability & Affordability.

SB 6379 by Senators Kuderer, Darneille, Das, Keiser, Lovelett and Saldaña

AN ACT Relating to providing protections to residential tenants; amending RCW 59.18.220, 59.18.250, 59.18.230, 61.24.060, and 59.12.030; reenacting and amending RCW 59.18.030 and 59.18.200; adding a new section to chapter 59.18 RCW; and prescribing penalties.

Referred to Committee on Housing Stability & Affordability.

SB 6380 by Senator Erickson

AN ACT Relating to examining the costs and benefits of making changes to the Hiram M. Chittenden locks, Skagit river hydroelectric project, and Ravenna creek; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 6381 by Senator Erickson

AN ACT Relating to reducing the property tax; amending RCW 84.52.065 and 84.55.010; and creating a new section.

Referred to Committee on Ways & Means.

SB 6382 by Senators Erickson and Takko

AN ACT Relating to state-inspected commercial custom meat facilities; amending RCW 16.49.005, 16.49.015, 16.49.045, 16.49.095, and 16.49.125; adding new sections to chapter 16.49 RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6383 by Senators Conway, Schoesler and Mullet

AN ACT Relating to the retirement strategy funds in the plan 3 and the deferred compensation programs; and amending RCW 41.34.060, 41.34.140, 41.50.770, and 41.50.780; and creating a new section.

Referred to Committee on Ways & Means.

SB 6384 by Senators Becker, Cleveland, O'Ban, Frockt, Braun and Keiser

AN ACT Relating to establishing a statewide tracking system for difficult to discharge patients; adding a new section to chapter 43.371 RCW; and adding a new section to chapter 70.41 RCW.

Referred to Committee on Health & Long Term Care.

SB 6385 by Senators Zeiger, Kuderer, O'Ban, Nguyen, Lovelett, and Wilson, C.

AN ACT Relating to jobs training for homeless individuals; and adding a new section to chapter 43.185C RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6386 by Senators Zeiger and Kuderer

AN ACT Relating to reducing impact fees for low-income housing; and amending RCW 82.02.060.

Referred to Committee on Housing Stability & Affordability.

SB 6387 by Senator Zeiger

AN ACT Relating to accelerating housing infrastructure investments by adjusting impact fee timelines; and amending RCW 82.02.080.

Referred to Committee on Housing Stability & Affordability.

SB 6388 by Senator Zeiger

AN ACT Relating to impact fees for multifamily and single-family housing; and amending RCW 82.02.060.

Referred to Committee on Housing Stability & Affordability.

SJM 8017 by Senators Hasegawa, Hunt, Billig, Saldaña, Stanford, and Wilson, C.

Addressing compacts of free association.

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

SJR 8215 by Senators Padden, Holy, Brown, Wagoner and Zeiger
Amending the state Constitution so that justices of the supreme court are elected by qualified electors of a supreme court judicial district.

Referred to Committee on Law & Justice.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6378 which had been designated to the Committee on Housing Stability & Affordability and was referred to the Committee on Ways & Means.

MOTION

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

MOTION

Senator Rolfes moved adoption of the following resolution:

SENATE RESOLUTION 8658

By Senator Rolfes

WHEREAS, Military spouses and caregivers embody the courage, sense of duty, and love of country that inspire every American; and

WHEREAS, Military spouses make tremendous sacrifices, including enduring long separations, assuming household responsibilities, and caring for children while their loved ones are away; and

WHEREAS, Military spouses and caregivers act with patience, selflessness, and compassion while serving as the frontline of this country's conscience to ensure the appropriate care of soldiers returning from duty; and

WHEREAS, Many military spouses and primary caregivers of veterans care for those with serious conditions, including traumatic brain injuries and posttraumatic stress disorder; and

WHEREAS, Many military spouses and caregivers are also volunteers in their communities who serve the needs of other military families; and

WHEREAS, Our communities are stronger when military spouses and families are afforded adequate employment, child care, and educational opportunities; and

WHEREAS, The nation benefits from the sacrifices of military families and is inspired by their courage, strength, and leadership; and

WHEREAS, Throughout the year, we honor the commitment military spouses and caregivers have made to their loved ones, our country, and our freedom;

NOW, THEREFORE, BE IT RESOLVED, That the Washington state Senate recognize military spouses and caregivers for their service, sacrifice, and dedication to their families and their country.

Senators Rolfes, O'Ban, Hobbs, Wilson, L., Conway, Becker, Lovelett, Wagoner, Darneille 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. 8658.

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

MOTIONS

THIRD DAY, JANUARY 15, 2020

2020 REGULAR SESSION

On motion of Senator Liias, and without objection, the names of all members were added as co-sponsors of Senate Resolution No. 8658.

At 10:40 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:26 a.m. by President Habib.

MOTIONS

On motion of Senator Liias, Senate Bill No. 6317 was referred to the Committee on Ways & Means and the Committee on Ways & Means was relieved of further consideration of Senate Bill No. 6378 and the measure was referred to the Committee on Housing Sustainability and Affordability.

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

THIRD READING

SENATE BILL NO. 5811, by Senators Nguyen, Rolfes, Wilson, C., Liias, Das, Hunt, Kuderer and Saldaña

Reducing emissions by making changes to the clean car standards and clean car program.

The bill was read on Third Reading.

Senator Nguyen spoke in favor of passage of the bill.

Senators Ericksen, Fortunato and Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5811.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5811 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Hobbs, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

SENATE BILL NO. 5811, having received the 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

SECOND SUBSTITUTE SENATE BILL NO. 5947, by Senate Committee on Ways & Means (originally sponsored by McCoy, Schoesler, Palumbo, King, Salomon and Warnick)

Establishing the sustainable farms and fields grant program.

The bill was read on Third Reading.

Senators McCoy, Rolfes and Lovelett spoke in favor of passage of the bill.

Senators Schoesler and Ericksen spoke against passage of the bill.

Senator Warnick spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5947.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5947 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 17; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Honeyford, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, King, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh and Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5947, having received the 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. 5323, by Senate Committee on Environment, Energy & Technology (originally sponsored by Das, Carlyle, Kuderer, Palumbo, Hunt, Rolfes, Frockt, Keiser, Pedersen and Saldaña)

Reducing pollution from plastic bags by establishing minimum state standards for the use of bags at retail establishments.

The bill was read on Third Reading.

Senator Das spoke in favor of passage of the bill.

Senator Ericksen spoke against passage of the bill.

MOTION

On motion of Senator Wilson, L., Senator Zeiger was excused.

Senators Fortunato and Walsh 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. 5323.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5323 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen,

Randall, Rolfes, Saldaña, Salomon, Short, Stanford, Takko, Van De Wege, Warnick, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Wagoner, Walsh, Wilson, L. and Zeiger

ENGROSSED SUBSTITUTE SENATE BILL NO. 5323, having received the 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. 5887, by Senators Short, Keiser and Nguyen

Concerning health carrier requirements for prior authorization standards.

The bill was read on Third Reading.

MOTION

On motion of Senator Short, the rules were suspended and Engrossed Senate Bill No. 5887 was returned to second reading for the purpose of amendment.

MOTION

Senator Short moved that the following striking amendment by Senator Short be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature intends to facilitate patient access to appropriate therapies for newly diagnosed health conditions while recognizing the necessity for health carriers to employ reasonable utilization management techniques.

Sec. 2. RCW 48.43.016 and 2019 c 308 s 22 are each amended to read as follows:

(1) A health carrier or its contracted entity that imposes different prior authorization standards and criteria for a covered service among tiers of contracting providers of the same licensed profession in the same health plan shall inform an enrollee which tier an individual provider or group of providers is in by posting the information on its web site in a manner accessible to both enrollees and providers.

(2)(a) A health carrier or its contracted entity may not require utilization management or review of any kind including, but not limited to, prior, concurrent, or postservice authorization for an initial evaluation and management visit and up to six ((consecutive)) treatment visits with a contracting provider in a new episode of care ((of chiropractic)) for each of the following: Chiropractic, physical therapy, occupational therapy, acupuncture and Eastern medicine, massage therapy, or speech and hearing therapies ((that meet the standards of medical necessity and)). Visits for which prior authorization is prohibited under this section are subject to quantitative treatment limits of the health plan. Notwithstanding RCW 48.43.515(5) this section may not be interpreted to limit the ability of a health plan to require a referral or prescription for the therapies listed in this section.

(b) For visits for which prior authorization is prohibited under this section, a health carrier or its contracted entity may not:

(i) Deny or limit coverage on the basis of medical necessity or appropriateness; or

(ii) Retroactively deny care or refuse payment for the visits.

(3) A health carrier shall post on its web site and provide upon the request of a covered person or contracting provider any prior authorization standards, criteria, or information the carrier uses for medical necessity decisions.

(4) A health care provider with whom a health carrier consults regarding a decision to deny, limit, or terminate a person's covered health care services must hold a license, certification, or registration, in good standing and must be in the same or related health field as the health care provider being reviewed or of a specialty whose practice entails the same or similar covered health care service.

(5) A health carrier may not require a provider to provide a discount from usual and customary rates for health care services not covered under a health plan, policy, or other agreement, to which the provider is a party.

(6) Nothing in this section prevents a health carrier from denying coverage based on insurance fraud.

(7) For purposes of this section:

(a) "New episode of care" means treatment for a new ~~((or recurrent))~~ condition or diagnosis for which the enrollee has not been treated by ~~((the))~~ a provider of the same licensed profession within the previous ninety days and is not currently undergoing any active treatment.

(b) "Contracting provider" does not include providers employed within an integrated delivery system operated by a carrier licensed under chapter 48.44 or 48.46 RCW."

On page 1, line 2 of the title, after "standards;" strike the remainder of the title and insert "amending RCW 48.43.016; and creating a new section."

Senators Short and Cleveland 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 Senator Short to Engrossed Senate Bill No. 5887.

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

MOTION

On motion of Senator Short, the rules were suspended, Second Engrossed Senate Bill No. 5887 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Short 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 Engrossed Senate Bill No. 5887.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Senate Bill No. 5887 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Short, Stanford, Takko, Van De

THIRD DAY, JANUARY 15, 2020

2020 REGULAR SESSION

Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SECOND READING

Voting nay: Senator Schoesler
Excused: Senator Das

SENATE BILL NO. 5450, by Senators Rivers, and Wilson, L.

Concerning superior court judges.

SECOND ENGROSSED SENATE BILL NO. 5887, having received the 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 measure was read the second time.

MOTION

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

MOTION

Senator Rivers moved that the following floor amendment no. 903 by Senator Rivers be adopted:

SECOND READING

SENATE JOINT MEMORIAL NO. 8014, by Senators McCoy and Salomon

On page 2, line 26, after "than" strike "January" and insert "July"

Concerning logging and mining in the upper Skagit watershed.

Senator Rivers spoke in favor of adoption of the amendment.

The measure was read the second time.

The President declared the question before the Senate to be the adoption of floor amendment no. 903 by Senator Rivers on page 2, line 26 to Senate Bill No. 5450.

MOTION

On motion of Senator McCoy, the rules were suspended, Senate Joint Memorial No. 8014 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

The motion by Senator Rivers carried and floor amendment no. 903 was adopted by voice vote.

MOTION

Senators McCoy and Lovelett spoke in favor of passage of the bill.

On motion of Senator Rivers, the rules were suspended, Engrossed Senate Bill No. 5450 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick and Ericksen spoke against passage of the bill.

Senators Rivers, Pedersen, Short, Padden 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 Joint Memorial No. 8014.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5450.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 8014 and the memorial passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5450 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wagoner, Wellman and Wilson, C.

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

Voting nay: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Das

Excused: Senator Das

ENGROSSED SENATE BILL NO. 5450, having received the 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 JOINT MEMORIAL NO. 8014, 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.

MOTION

MOTION

On motion of Senator Rivers, Substitute Senate Bill No. 5450 was not substituted for Senate Bill No. 5450 and the substitute bill was not adopted.

At 12:23 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 noon, Thursday, January 16, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FOURTH DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, January 16, 2020

The Senate was called to order at 12:05 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

MOTION

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

REPORTS OF STANDING COMMITTEES

January 23, 2020

SB 5680 Prime Sponsor, Senator Liias: Concerning the creation of parks benefit districts. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5680 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Lovelett.

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

Referred to Committee on Local Government.

January 15, 2020

SB 5717 Prime Sponsor, Senator Saldaña: Concerning employer and employee scheduling. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker; Billig; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Wagoner and Wilson, L.

Referred to Committee on Labor & Commerce.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

SB 6389 by Senator Fortunato

AN ACT Relating to evaluating school safety drills and monitoring school safety plans and programs; amending RCW 28A.300.645; adding new sections to chapter 43.101

RCW; creating new sections; recodifying RCW 28A.300.645; and making an appropriation.

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

SB 6390 by Senators Fortunato, Rivers, Wilson, L., Ericksen and Becker

AN ACT Relating to making the nonprofit and library fundraising exemption permanent; amending RCW 82.12.225; and creating new sections.

Referred to Committee on Ways & Means.

SB 6391 by Senators Fortunato and Padden

AN ACT Relating to tracking abortion statistics; and adding a new section to chapter 70.58 RCW.

Referred to Committee on Health & Long Term Care.

SB 6392 by Senators Van De Wege, King, Walsh, Warnick, Rolfes, Honeyford, and Wilson, C.

AN ACT Relating to the creation of a local wine industry association license; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Labor & Commerce.

SB 6393 by Senators Conway, Saldaña, Keiser, Hasegawa, Van De Wege, Wilson, C. and Nguyen

AN ACT Relating to cannabis industry workplace standards; amending RCW 69.50.325; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Labor & Commerce.

SB 6394 by Senators Saldaña, Conway, McCoy, Stanford, Hobbs, Das, Wilson, C., Zeiger, O'Ban, Hasegawa, Van De Wege, Hunt, Nguyen, Holy, Fortunato and Sheldon

AN ACT Relating to authorizing sports wagering subject to the terms of tribal-state gaming compacts; amending RCW 9.46.070, 9.46.240, and 9.46.090; adding new sections to chapter 9.46 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 6395 by Senators Cleveland, Hasegawa and Saldaña

AN ACT Relating to sharing health insurance information to improve the coordination of benefits between health insurers and the health care authority; and amending RCW 74.09A.020.

Referred to Committee on Health & Long Term Care.

SB 6396 by Senators O'Ban, Cleveland, Becker, Darneille, Hasegawa and Short

AN ACT Relating to ensuring the continued viability of skilled nursing facilities; amending RCW 74.46.561; creating new sections; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

FOURTH DAY, JANUARY 16, 2020

2020 REGULAR SESSION

SB 6397 by Senators Frockt, Rolfes and Keiser
AN ACT Relating to nonparticipating providers; and amending RCW 74.09.522.

Referred to Committee on Ways & Means.

SB 6398 by Senators Saldaña, Nguyen, Lovelett, Lias, and Wilson, C.

AN ACT Relating to transportation policy goals; amending RCW 47.04.280; and adding a new section to chapter 47.04 RCW.

Referred to Committee on Transportation.

SB 6399 by Senators Lias, Nguyen, Carlyle, Lovelett, Kuderer, Stanford, Wellman, Billig, Saldaña, Das, Wilson, C. and Hunt

AN ACT Relating to reducing emissions from vehicles associated with on-demand transportation services; amending RCW 70.120.010 and 70.94.015; and adding new sections to chapter 70.120 RCW.

Referred to Committee on Transportation.

SB 6400 by Senators Randall, Cleveland, Keiser, Kuderer, Wilson, C., Hunt, Van De Wege, Dhingra, Das, Lovelett, Nguyen, Conway and Saldaña

AN ACT Relating to mitigating inequity in the health insurance market caused by health plans that exclude certain mandated benefits; adding a new section to chapter 48.43 RCW; and adding a new section to chapter 43.71 RCW.

Referred to Committee on Health & Long Term Care.

SB 6401 by Senators Warnick and Saldaña

AN ACT Relating to noxious weeds; and amending RCW 17.10.010, 17.10.030, 17.10.050, 17.10.060, 17.10.070, 17.10.074, 17.10.100, 17.10.140, 17.10.145, 17.10.205, 17.10.235, 17.10.240, and 17.10.890.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6402 by Senators Rivers, Padden, Wilson, L., Schoesler and Becker

AN ACT Relating to the use of a stolen firearm; reenacting and amending RCW 9.94A.515; adding a new section to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6403 by Senators Warnick, Van De Wege, Short and Takko
AN ACT Relating to allowable uses for the multiuse roadway safety account; and amending RCW 46.09.540.

Referred to Committee on Transportation.

SB 6404 by Senators Frockt, O'Ban, Dhingra, Becker, Kuderer, Rivers, Lovelett, Wellman, Pedersen, Nguyen, Darneille, Hasegawa, McCoy, Wilson, C., Das, Conway and Saldaña

AN ACT Relating to reducing barriers to patient care through appropriate use of prior authorization and adoption of appropriate use criteria; amending RCW 41.05.074 and

74.09.758; adding new sections to chapter 48.43 RCW; and adding a new section to chapter 70.250 RCW.

Referred to Committee on Health & Long Term Care.

SB 6405 by Senators Stanford, Lias, Wilson, C., Hasegawa, Hunt, Nguyen, Randall, Frockt and Saldaña

AN ACT Relating to supporting student success at community and technical colleges by increasing full-time faculty and stabilizing the use of part-time faculty; adding a new section to chapter 28B.50 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Higher Education & Workforce Development.

SB 6406 by Senators Wilson, L., Holy, Becker, Padden, Wagoner, Muzzall, Short, Schoesler, Warnick, Ericksen, Braun, Brown, Honeyford, O'Ban and Rivers

AN ACT Relating to firearms; reenacting and amending RCW 9.94A.515; adding a new section to chapter 9A.56 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6407 by Senators Van De Wege and Rivers

AN ACT Relating to spinal manipulation endorsement requirements for physical therapists; repealing 2014 c 116 s 2; repealing 2014 c 116 s 7 (uncodified); and providing an effective date.

Referred to Committee on Health & Long Term Care.

SB 6408 by Senators Wilson, L., Mullet, Short, Becker, Takko, King, Zeiger, Brown, Schoesler, Frockt, Hasegawa, Rolfes, Honeyford, Walsh, Van De Wege and Braun

AN ACT Relating to agency responsibilities to regulated businesses and professions; adding a new chapter to Title 18 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 6409 by Senator King

AN ACT Relating to providing an exemption from electrical licensing, certification, and inspection for industrial equipment; and adding a new section to chapter 19.28 RCW.

Referred to Committee on Labor & Commerce.

SB 6410 by Senators King and Nguyen

AN ACT Relating to possessory liens on motor vehicles that an auction company stores; amending RCW 46.70.330; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

SB 6411 by Senators Das, Zeiger, Cleveland, Wilson, C., Lovelett, Nguyen, Braun, Keiser, Mullet, Hunt, Lias and Randall

AN ACT Relating to expanding the property tax exemption for new and rehabilitated multiple-unit dwellings in urban growth areas; amending RCW 84.14.007, 84.14.010,

84.14.020, 84.14.040, 84.14.060, and 84.14.100; and creating a new section.

Referred to Committee on Housing Stability & Affordability.

SB 6412 by Senators Zeiger, Mullet, Wilson, L., King, O'Ban, Fortunato and Schoesler

AN ACT Relating to election security; amending RCW 29A.40.091, 29A.60.235, 29A.04.611, 29A.60.125, 29A.60.170, 29A.60.185, 29A.64.011, 29A.64.021, 29A.64.030, 29A.64.041, 29A.64.050, 29A.64.070, 29A.64.090, and 29A.60.165; reenacting and amending RCW 29A.40.110; adding a new section to chapter 29A.32 RCW; adding new sections to chapter 29A.40 RCW; adding new sections to chapter 29A.84 RCW; adding new sections to chapter 29A.60 RCW; creating a new section; prescribing penalties; and making an appropriation.

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

SB 6413 by Senators Cleveland, O'Ban, Keiser, Rivers and Hasegawa

AN ACT Relating to establishing the primary care collaborative; and creating new sections.

Referred to Committee on Health & Long Term Care.

SB 6414 by Senators Stanford and Dhingra

AN ACT Relating to waiving utility connection charges for certain properties; amending RCW 23.86.400, 24.06.600, 36.94.140, and 54.24.080; adding a new section to chapter 35.92 RCW; and adding a new section to chapter 80.28 RCW.

Referred to Committee on Local Government.

SB 6415 by Senators Das, Van De Wege, Wellman, Takko, Wilson, C., Hunt and Billig

AN ACT Relating to allowing a permanent fire protection district benefit charge with voter approval; and amending RCW 52.18.050.

Referred to Committee on Local Government.

SB 6416 by Senators Cleveland, Rivers, Wellman, Wilson, C., Das and Randall

AN ACT Relating to providing telehealth services at schools; creating a new section; making an appropriation; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 6417 by Senators Holy and Van De Wege

AN ACT Relating to allowing retirees to change their survivor option election after retirement; and amending RCW 41.26.460.

Referred to Committee on Ways & Means.

SB 6418 by Senators Holy, Van De Wege and Conway

AN ACT Relating to the definition of period of war for pensions; and amending RCW 41.26.030, 41.26.520, 41.26.160, and 41.26.510.

Referred to Committee on Ways & Means.

SB 6419 by Senators Keiser, Braun, Rolfes, Randall, Rivers, Dhingra, Darneille, Wilson, C., Saldaña and Salomon

AN ACT Relating to implementation of the recommendations of the December 2019 report from the William D. Ruckelshaus center regarding residential habilitation center clients; creating new sections; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6420 by Senators Takko and Short

AN ACT Relating to underground utilities and safety committee; amending RCW 19.122.050 and 19.122.130; and reenacting and amending RCW 19.122.020.

Referred to Committee on Local Government.

SB 6421 by Senators Muzzall, Hunt, Warnick, Takko, Schoesler, Wagoner, Padden, Hasegawa and Saldaña

AN ACT Relating to extending the farm internship program; reenacting and amending RCW 49.46.010; adding a new section to chapter 49.12 RCW; adding a new section to chapter 50.04 RCW; adding a new section to chapter 51.16 RCW; and providing expiration dates.

Referred to Committee on Labor & Commerce.

SB 6422 by Senators Darneille, Zeiger, Dhingra, Frockt, Walsh, Wilson, C., Kuderer, Hasegawa, Hunt, Nguyen, Das and Saldaña

AN ACT Relating to establishing the family connections program; amending RCW 2.70.060, 2.70.070, 2.70.080, 2.70.090, and 74.13.802; adding a new section to chapter 74.13 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6423 by Senators Cleveland, Darneille, and Wilson, C.

AN ACT Relating to reports alleging child abuse and neglect; and amending RCW 26.44.050 and 26.44.060.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6424 by Senators Wilson, C., Hunt, Lias, Das, Nguyen and Saldaña

AN ACT Relating to room and board for college bound scholarship students; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 6425 by Senators Stanford, Lovelett, McCoy, Wilson, C., Nguyen, Hunt, Takko, Sheldon, Van De Wege, Lias, Das, Hasegawa and Saldaña

AN ACT Relating to establishing the American Indian cultural study grant; adding a new chapter to Title 28B RCW; and creating a new section.

FOURTH DAY, JANUARY 16, 2020

2020 REGULAR SESSION

Referred to Committee on Higher Education & Workforce Development.

Referred to Committee on Environment, Energy & Technology.

SB 6426 by Senators Cleveland, King, Nguyen, Lovelett, Kuderer, Randall, Frockt, Zeiger, Saldaña, Das, Darneille, Wilson, C., Keiser, Hasegawa and Becker
AN ACT Relating to implementing an identicard program to provide individuals a Washington state issued identicard; adding a new section to chapter 43.185C RCW; and providing an effective date.

SB 6433 by Senators Rolfes, Wilson, L., Randall, Darneille, Wilson, C. and Becker
AN ACT Relating to creating Washington state women veterans special license plates; reenacting and amending RCW 46.17.220, 46.18.200, and 46.68.420; adding a new section to chapter 46.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

Referred to Committee on Transportation.

SB 6427 by Senators Cleveland, Nguyen, Wilson, C., Das and Saldaña
AN ACT Relating to providing funding for medical evaluations of suspected victims of child abuse; adding new sections to chapter 7.68 RCW; creating a new section; and providing expiration dates.

SB 6434 by Senators Randall, Nguyen, Keiser, Rolfes, Warnick, Das, Hasegawa, Zeiger, Lias and Frockt
AN ACT Relating to the operation, authorization, and permitting of microenterprise home kitchens; reenacting and amending RCW 43.20.025; adding new sections to chapter 43.20 RCW; adding a new section to chapter 69.07 RCW; adding a new section to chapter 70.54 RCW; and prescribing penalties.

Referred to Committee on Human Services, Reentry & Rehabilitation.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6428 by Senators Cleveland, Nguyen, Wilson, C., Das and Saldaña
AN ACT Relating to providing funding for medical evaluations of suspected victims of child abuse; adding new sections to chapter 7.68 RCW; and creating a new section.

SB 6435 by Senators Frockt, Nguyen, Brown, Das and Hasegawa
AN ACT Relating to promoting the development of the Washington state bioeconomy; and creating new sections.

Referred to Committee on Human Services, Reentry & Rehabilitation.

Referred to Committee on Environment, Energy & Technology.

SB 6429 by Senators Brown, Walsh, Schoesler, Rivers, Van De Wege and Becker
AN ACT Relating to providing a designation on a driver's license or identicard that a person has a developmental disability; adding a new section to chapter 46.20 RCW; and providing an effective date.

SB 6436 by Senators Rolfes, O'Ban, Randall, and Wilson, C.
AN ACT Relating to the conditional release of sexually violent predators to less restrictive alternatives; amending RCW 4.24.550, 71.09.092, 71.09.096, and 71.09.345; reenacting and amending RCW 71.09.020; and creating a new section.

Referred to Committee on Transportation.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6430 by Senators Brown, Rolfes, Frockt, Warnick, Das and Hasegawa
AN ACT Relating to establishing a statewide industrial waste coordination program; reenacting and amending RCW 42.56.270; adding new sections to chapter 43.31 RCW; and creating new sections.

SB 6437 by Senator Zeiger
AN ACT Relating to the use of automatic renewal provisions in business contracts; and adding a new chapter to Title 19 RCW.

Referred to Committee on Environment, Energy & Technology.

Referred to Committee on Law & Justice.

SB 6431 by Senators Hunt and Das
AN ACT Relating to exempting personal demographic details of state employees from public disclosure; and reenacting and amending RCW 42.56.250.

SB 6438 by Senators Van De Wege, Schoesler, Hunt, Warnick, Wagoner and Becker
AN ACT Relating to applying the public records act to all courts and offices within the judicial branch; and amending RCW 42.56.010.

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

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

SB 6432 by Senators Rolfes, Carlyle, Randall, Takko, Stanford, Hunt, Lovelett, Darneille, Wilson, C., Das, Keiser and Van De Wege
AN ACT Relating to offshore oil extraction; and amending RCW 90.58.020, 90.58.160, 43.143.010, and 43.143.020.

SB 6439 by Senators Randall, Van De Wege, Keiser, Stanford, Kuderer, Hunt, Dhingra, Lias, Wilson, C., Frockt, Das, Hasegawa and Saldaña
AN ACT Relating to addressing sexual misconduct at postsecondary educational institutions; adding new sections

to chapter 28B.112 RCW; adding a new section to chapter 42.56 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 6440 by Senators Stanford, Hunt, Keiser, McCoy, Das and Conway

AN ACT Relating to industrial insurance medical examinations; amending RCW 51.32.110 and 51.36.070; and adding a new section to chapter 51.08 RCW.

Referred to Committee on Labor & Commerce.

SB 6441 by Senators Stanford, Keiser, Das, Hasegawa, Conway and Saldaña

AN ACT Relating to allowing unemployment insurance benefits for certain workers due to a lockout; and amending RCW 50.20.010.

Referred to Committee on Labor & Commerce.

SB 6442 by Senators Saldaña, Wilson, C., Salomon, McCoy, Wellman, Stanford, Hasegawa, Kuderer, Pedersen, Nguyen, Frockt and Das

AN ACT Relating to private detention facilities; adding a new chapter to Title 70 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6443 by Senators Kuderer, Das, Darneille, Wilson, C. and Nguyen

AN ACT Relating to convictions for offenses that were committed at age sixteen or seventeen and placed in exclusive jurisdiction of the juvenile court in 2018; adding a new section to chapter 13.04 RCW; adding a new section to chapter 9.94A RCW; creating a new section; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6444 by Senators Kuderer, Das, Darneille, Wilson, C., Nguyen and Saldaña

AN ACT Relating to juvenile records; and amending RCW 13.50.260 and 13.50.270.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6445 by Senators Kuderer, Das, Wilson, C., Hunt, Nguyen and Saldaña

AN ACT Relating to eliminating a business and occupation tax deduction for financial institutions to fund affordable housing; adding a new section to chapter 82.32 RCW; creating new sections; repealing RCW 82.04.29005 and 82.04.4292; and providing an effective date.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 6446 by Senators Kuderer, Pedersen, Das, Wilson, C. and Hunt

AN ACT Relating to lodging taxes for affordable housing; amending RCW 67.28.181 and 82.14.410; and adding a new section to chapter 67.28 RCW.

Referred to Committee on Housing Stability & Affordability.

SB 6447 by Senators Lias, Kuderer, Rivers, Dhingra, Randall, Wilson, C. and Saldaña

AN ACT Relating to requiring a coprescription of opioid overdose reversal medication; adding a new section to chapter 69.41 RCW; and creating a new section.

Referred to Committee on Behavioral Health Subcommittee to Health & Long Term Care.

SB 6448 by Senators McCoy, Lias, Salomon, Lovelett, Stanford, Zeiger and Saldaña

AN ACT Relating to protection of archaeological and cultural sites by state agencies, local governments, and all recipients of state revenue; adding a new section to chapter 27.53 RCW; and creating a new section.

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

SJM 8018 by Senators Brown, Schoesler, Honeyford, Lovelett and Short

Concerning a federal nuclear waste repository.

Referred to Committee on Environment, Energy & Technology.

MOTION

On motion of Senator Lias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6445 which had been designated to the Committee on Housing Stability & Affordability and was referred to the Committee on Financial Institutions, Economic Development & Trade.

MOTION

At 12:07 p.m., on motion of Senator Lias, the Senate adjourned until 10:00 o'clock a.m. Friday, January 17, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FIFTH DAY**MORNING SESSION**Senate Chamber, Olympia
Friday, January 17, 2020

The Senate was called to order at 10:02 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present with the exceptions of Senators Dhingra, Pedersen and Zeiger.

The Sergeant at Arms Color Guard consisting of Pages Mr. Kaleb Johnson and Miss Madison Sotomayor, presented the Colors. Page Miss Chloe Barney led the Senate in the Pledge of Allegiance. The prayer was offered by Reverend Evan Clendenis of St. John's Episcopal Church, Olympia.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 11, 2020

SB 5481 Prime Sponsor, Senator Warnick: Establishing a coalition of commissioned officers, detectives, and sergeants of the department of fish and wildlife for the purposes of collective bargaining, including interest arbitration. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5481 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member and Becker.

Referred to Committee on Ways & Means.

January 16, 2020

SB 6028 Prime Sponsor, Senator Pedersen: Adopting the uniform electronic transactions act and aligning statutory provisions relating to signatures, declarations, and documents. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6028 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 16, 2020

SB 6029 Prime Sponsor, Senator Pedersen: Concerning the uniform directed trust act. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6029 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 16, 2020

SB 6037 Prime Sponsor, Senator Pedersen: Concerning business corporations. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6037 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

January 16, 2020

SB 6048 Prime Sponsor, Senator Das: Addressing the group-wide supervision of internationally active insurance groups. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 6048 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun and Hobbs.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6074 Prime Sponsor, Senator Dhingra: Reauthorizing and expanding the financial fraud and identity theft crimes investigation and prosecution program. Reported by Committee on Ways & Means

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

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

Referred to Committee on Ways & Means.

January 16, 2020

SB 6096 Prime Sponsor, Senator Keiser: Preventing disruption of certain state-financed and procured services due to labor unrest within contracted service providers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Schoesler; Stanford; Walsh and Wellman.

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

Referred to Committee on Rules for second reading.

January 16, 2020

SB 6170 Prime Sponsor, Senator Keiser: Concerning plumbing. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6181 Prime Sponsor, Senator Padden: Concerning compensation for parents of minor victims of crime. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6181 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Ways & Means.

January 16, 2020

SGA 9287 CHARLES CLARK, appointed on April 1, 2019, for the term ending at the governors pleasure, as Director of the Department of Financial Institutions - Agency Head. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das; Ericksen and Hobbs.

Referred to Committee on Rules for second reading.

MOTION

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

SUBCOMMITTEE ON BEHAVIORAL HEALTH REFERRALS

Pursuant to Senate Rule 45(13) and without objection, notice was received from the Committee on Health & Long Term Care that the following measures had been re-referred to the Subcommittee on Behavioral Health:

SENATE BILL NO. 6258;
SENATE BILL NO. 6259;
SENATE BILL NO. 6274;
and SENATE BILL NO. 6311.

MOTION

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

MESSAGES FROM THE HOUSE

January 16, 2020

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1023,
SECOND ENGROSSED HOUSE BILL NO. 1056,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1264,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
1272,
SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO.
1565,
SUBSTITUTE HOUSE BILL NO. 1826,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2099,
and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

January 16, 2020

MR. PRESIDENT:

The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 8411,
and the same is herewith transmitted.
MELISSA PALMER, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6449 by Senators Wellman, Wagoner, Takko, Walsh, Hunt, Zeiger, Cleveland, Kuderer, Nguyen, Das, Frockt, Hasegawa, Saldaña, Van De Wege, and Wilson, C.

AN ACT Relating to requiring contact information for suicide prevention and crisis intervention organizations on student and staff identification cards; adding a new section to chapter 28A.210 RCW; adding a new section to chapter 28B.10 RCW; creating new sections; and providing an expiration date.

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

SB 6450 by Senators Padden, Salomon, Warnick and Short

FIFTH DAY, JANUARY 17, 2020

2020 REGULAR SESSION

AN ACT Relating to establishing the warm water fishing advisory group; and amending RCW 77.44.010 and 77.44.040.

Referred to Committee on Ways & Means.

SB 6451 by Senators Frockt, Lovelett, Hunt, Keiser, Salomon, Darneille, Randall, Hasegawa, Nguyen, Wellman, Kuderer, Das, Lias, Conway, Saldaña, Van De Wege, and Wilson, C.

AN ACT Relating to funding for individuals who are not eligible for federal insurance subsidies and for foundational public health services; reenacting and amending RCW 43.84.092; adding a new section to chapter 48.43 RCW; adding a new section to chapter 43.70 RCW; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6452 by Senators Billig, Zeiger, Cleveland, Lias, Hasegawa, Saldaña, and Wilson, C.

AN ACT Relating to including health in the state transportation system policy goals; amending RCW 47.04.280; and creating a new section.

Referred to Committee on Transportation.

SB 6453 by Senators Salomon, Nguyen, McCoy, Lias, Keiser, Hunt, Wilson, C., Cleveland, Das, Hasegawa, Kuderer and Saldaña

AN ACT Relating to tackling climate change as a goal of the growth management act; and amending RCW 36.70A.020 and 36.70A.480.

Referred to Committee on Local Government.

SB 6454 by Senators Salomon, Lias, Nguyen, McCoy, Wilson, C., Das and Hasegawa

AN ACT Relating to local salmon habitat recovery planning in critical areas; amending RCW 36.70A.050, 36.70A.172, and 36.70A.130; adding a new section to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Local Government.

SB 6455 by Senators Lias, King, Billig, Nguyen, Cleveland, Hunt, Saldaña, Van De Wege, and Wilson, C.

AN ACT Relating to default beverages for children's meals; and adding a new section to chapter 43.20 RCW.

Referred to Committee on Health & Long Term Care.

SB 6456 by Senators Conway, Hasegawa, Van De Wege, and Wilson, C.

AN ACT Relating to interest arbitration for department of corrections employees; and amending RCW 41.80.200.

Referred to Committee on Labor & Commerce.

SB 6457 by Senators Fortunato, Zeiger, Warnick and O'Ban

AN ACT Relating to promoting housing affordability by incentivizing the construction of American dream homes; adding a new section to chapter 36.70A RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 82.04 RCW; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6458 by Senator Fortunato

AN ACT Relating to protecting persons with behavioral health disorders who manifest self-neglect; reenacting and amending RCW 71.05.020 and 71.34.020; and creating new sections.

Referred to Committee on Behavioral Health Subcommittee to Health & Long Term Care.

SB 6459 by Senator Fortunato

AN ACT Relating to compassionate and effective strategies to address the homelessness crisis; adding a new section to chapter 36.01 RCW; adding a new section to chapter 9A.84 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Housing Stability & Affordability.

SB 6460 by Senator Fortunato

AN ACT Relating to criminal sentences requiring the removal of graffiti; adding a new section to chapter 9A.48 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 6461 by Senators Fortunato, Zeiger and Warnick

AN ACT Relating to permit timelines; amending RCW 36.70B.080 and 36.70B.140; and creating a new section.

Referred to Committee on Local Government.

SB 6462 by Senators O'Ban, Braun, Padden, Mullet, Zeiger, Cleveland, Sheldon, Schoesler, Brown, Warnick, Takko, Honeyford, Walsh, Wilson, L., Holy, Ericksen, Becker, Short and Wagoner

AN ACT Relating to reaffirming the prohibition of the imposition of a local income tax; adding a new section to chapter 84.52 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6463 by Senators Wilson, L., Brown, Muzzall and Becker

AN ACT Relating to eliminating environmental analysis and mitigation requirements on projects within the comprehensive plan; amending RCW 36.70B.030; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Local Government.

SB 6464 by Senators Wilson, L., Becker, Rivers and Van De Wege

AN ACT Relating to state building code council membership; and amending RCW 19.27.070.

Referred to Committee on Local Government.

SB 6465 by Senators Wilson, L., Brown, Becker, Rivers, Takko and Hunt

AN ACT Relating to occupational licensing; amending RCW 18.04.180, 18.08.400, 18.16.130, 18.39.130, 18.43.100, 18.96.100, 18.140.120, 18.210.180, 18.220.100, and 18.280.180; reenacting and amending RCW 18.145.080; and adding a new section to chapter 18.85 RCW.

Referred to Committee on Labor & Commerce.

SB 6466 by Senators Randall, Saldaña, Wilson, C., Nguyen, Zeiger and Das

AN ACT Relating to traffic control signals; and amending RCW 46.61.055.

Referred to Committee on Transportation.

SB 6467 by Senators Liias, Walsh, Wilson, C., Kuderer, Keiser, Conway, Saldaña and Van De Wege

AN ACT Relating to providing integrated services between the paid family and medical leave program and a statewide family resource, referral, and linkage system; adding a new section to chapter 50A.05 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 6468 by Senators Randall, Frockt, Saldaña, and Wilson, C.

AN ACT Relating to the legislative advisory committee to the committee on advanced tuition payment; amending RCW 28B.15.067; and repealing RCW 28B.95.170.

Referred to Committee on College & Workforce Development.

SB 6469 by Senators Randall, O'Ban, Nguyen, Hasegawa, Saldaña, and Wilson, C.

AN ACT Relating to improving access to behavioral health treatment in certified crisis facilities; amending RCW 71.05.750, 71.05.755, 71.24.045, and 71.24.490; reenacting and amending RCW 71.05.020 and 71.24.037; adding new sections to chapter 71.05 RCW; and creating a new section.

Referred to Committee on Behavioral Health Subcommittee to Health & Long Term Care.

SB 6470 by Senators Fortunato, Zeiger and Warnick

AN ACT Relating to reducing unnecessary paperwork to promote development; adding a new section to chapter 43.21C RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 6471 by Senators Randall, King, Honeyford, Liias, Hasegawa, and Wilson, C.

AN ACT Relating to establishing an air operations branch; amending RCW 47.68.380 and 47.68.020; and adding a new section to chapter 47.68 RCW.

Referred to Committee on Transportation.

SB 6472 by Senators Lovelett, Darneille, Nguyen, Wilson, C., Stanford, Keiser, Kuderer and Saldaña

AN ACT Relating to standardizing definitions of homelessness to improve access to services; amending RCW 43.185C.220, 43.216.505, 74.08A.010, 74.13.802, 26.44.020, and 46.20.117; reenacting and amending RCW 43.216.135 and 13.34.030; and creating a new section.

Referred to Committee on Ways & Means.

SB 6473 by Senators Stanford, Frockt, Conway, Keiser, Hasegawa, Liias, Van De Wege, Billig, Hunt and Saldaña

AN ACT Relating to asbestos-containing building materials; amending RCW 70.310.020; adding new sections to chapter 70.310 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 6474 by Senators Das, Zeiger, Mullet, Keiser and Liias

AN ACT Relating to replacing the streamlined sales tax mitigation program with sales tax diversification awards for certain eligible cities; amending RCW 82.14.505, 82.14.510, 39.104.020, and 39.104.050; and creating a new section.

Referred to Committee on Ways & Means.

SB 6475 by Senators Hasegawa, Saldaña, and Wilson, C.

AN ACT Relating to establishing the identification assistance and support pilot program to assist individuals experiencing homelessness with locating

FIFTH DAY, JANUARY 17, 2020

2020 REGULAR SESSION

the documentation necessary to qualify for certain forms of identification; adding a new chapter to Title 13 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6476 by Senators Stanford, Darneille, Wilson, C., Nguyen, Hasegawa and Saldaña

AN ACT Relating to increasing and expanding access of inmates and immediate family members of inmates to services provided within correctional facilities; amending RCW 72.09.015; adding new sections to chapter 72.09 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SB 6477 by Senators Lovelett and Saldaña

AN ACT Relating to limitations on school district enrichment levies; and amending RCW 84.52.0531.

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

SB 6478 by Senators Nguyen, Darneille, Stanford, Saldaña, Dhingra, Das and Hasegawa

AN ACT Relating to revising economic assistance programs by updating standards of need, revising outcome measures and data collected, and reducing barriers to participation; amending RCW 74.04.770 and 74.08A.010; reenacting and amending RCW 74.08A.260; adding a new section to chapter 74.08A RCW; creating new sections; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6479 by Senators Wellman, Wilson, L., Hobbs, Schoesler, Nguyen, Saldaña, Hunt, Ericksen, and Wilson, C.

AN ACT Relating to optional benefits offered by school districts; amending RCW 28A.400.280; and creating a new section.

Referred to Committee on Ways & Means.

SB 6480 by Senators Mullet and Hasegawa

AN ACT Relating to developing comprehensive school counseling programs; adding new sections to chapter 28A.320 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Education.

SB 6481 by Senators Cleveland, Wilson, L. and Rivers

AN ACT Relating to simplifying the process for donating low-value surplus property owned by a city-owned utility; and amending RCW 35.94.040.

Referred to Committee on Local Government.

SB 6482 by Senators Wilson, C. and Darneille

AN ACT Relating to licensing by the department of children, youth, and families; amending RCW 43.216.255, 43.216.305, 43.216.395, 72.40.250, 72.40.280, 74.15.125, and 43.216.015; and reenacting and amending RCW 43.216.010.

Referred to Committee on Ways & Means.

SB 6483 by Senators Wilson, C. and Nguyen

AN ACT Relating to rating requirements for child care providers; amending RCW 43.216.515; and reenacting and amending RCW 43.216.135.

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

SB 6484 by Senators Frockt, Lias, Hunt and Saldaña

AN ACT Relating to allowing counties to seek voter approval for a property tax levy to fund community and technical college districts; amending RCW 84.52.010 and 29A.36.210; and adding a new section to chapter 84.52 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 6485 by Senators Takko and Short

AN ACT Relating to a vessel crewmember license; and amending RCW 77.65.610.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6486 by Senators Rivers, Short, Brown and Becker

AN ACT Relating to expanding medicaid coverage for individuals with a rare disease; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SB 6487 by Senators Lias, Saldaña, and Wilson, C.

AN ACT Relating to the legislative youth advisory council; amending RCW 28A.300.801; adding a new section to chapter 43.15 RCW; and recodifying RCW 28A.300.801.

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

SB 6488 by Senators Rolfes, Saldaña and Van De Wege

AN ACT Relating to aerial herbicides in forestlands; adding a new section to chapter 76.09 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6489 by Senators Saldaña, Keiser, Nguyen, and Wilson, C.

AN ACT Relating to possession of vapor, vapor products, tobacco, and tobacco products by persons under the age of twenty-one; amending RCW 70.155.110 and 70.345.160; creating a new section; and repealing RCW 70.155.080 and 70.345.140.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6490 by Senators Darneille, Das, Kuderer, Lovelett, Nguyen, Saldaña, and Wilson, C.

AN ACT Relating to addressing housing concerns for individuals impacted by the criminal justice system; amending RCW 59.18.257; reenacting and amending RCW 59.18.030; adding a new section to chapter 59.18 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6491 by Senator Mullet

AN ACT Relating to exempting electric boat motors from sales and use tax; 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.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6479 which had been designated to the Committee on Early Learning & K-12 Education and was referred to the Committee on Ways & Means.

MOTION

At 10:09 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Billig announced a meeting of the Democratic Caucus immediately.

The Senate was called to order at 10:47 a.m. by President Habib.

PERSONAL PRIVILEGE

Senator Wagoner: "Thank you Mr. President. We all know that the state had a lot of snow in the past week and it has affected different communities in different ways. In my district on State Route 2, up in the mountains, up around towns like Skykomish and Grotto and Baring, they really got a sucker punch by Mother Nature. So, State Route 2 has feet of snow on it. It was closed

and impassable for days. Scores of trees were down across roads and driveways. There was no power. People didn't have any way in or any way out. They haven't had access to clean drinking water, to medical care, to food, to fuel for their generators, to heat for their homes. I want to recognize their predicament today, which is ongoing by the way, it is not over yet. And commend the community itself for the work they did and also to give credit to where credit is due for emergency providers. I want to say it has been a traumatic experience for that community. And emotions run high. I haven't been on the ground out there in my district because I have been here with all of you and I don't know every personal experience and what they have been going through. So, I can't really speak for them. But, I do know this, a lot of brave and dedicated emergency management providers and organizations like our Washington State Patrol, like the King County and Snohomish County Sheriff's Departments, Fire Departments, county officials, city officials have worked very hard within the limits of their resources to help people. But, the real heroes, the true heroes of this catastrophe, were the community members themselves. And it is a sad truth, well, maybe it is not sad, but it is just true. The real first responders were the community members themselves, and neighbors helping neighbors, friends helping friends. They plowed roads; they shoveled; they pushed cars out. They took care of themselves first, as you would, and their families first but they didn't stop at their own front door. They went out in the community and they organized convoys. They hiked into neighbors who were living far from the road and checked on them -- shared resources, food and groceries, and, presumably, hope as well, in frigid homes. So, I want to say again, the real heroes of this catastrophe are the residents themselves. And, as a state, we didn't get this one hundred percent right. And we can do better and I know that all of you will help me after this is all over, because it is not over yet, to follow up and see where we can do better for those communities and help them in different ways so that they have fuel supplies, maybe, up there in the future. And I wanted to give Senator Hobbs my thanks. When I was worrying about this and making phone calls to the community, it was nice to have somebody in our caucus who was willing to take off his senator shoes and put on his National Guard boots and do a little liaising with our adjutant general and educate me on what was possible and how things worked. Ultimately, the National Guard was not called in but I really appreciate the fact that he was willing to help me with that matter. Thank you, Mr. President."

MOTION

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

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Keiser moved that Jane Rushford, Senate Gubernatorial Appointment No. 9031, be confirmed as a member of the Liquor and Cannabis Board.

Senator Keiser spoke in favor of the motion.

APPOINTMENT OF JANE RUSHFORD

The President declared the question before the Senate to be the confirmation of Jane Rushford, Senate Gubernatorial Appointment No. 9031, as a member of the Liquor and Cannabis Board.

The Secretary called the roll on the confirmation of Jane Rushford, Senate Gubernatorial Appointment No. 9031, as a member of the Liquor and Cannabis Board and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Dhingra, Pedersen and Zeiger

Jane Rushford, Senate Gubernatorial Appointment No. 9031, having received the constitutional majority was declared confirmed as a member of the Liquor and Cannabis Board.

MOTION

On motion of Senator Mullet, Senators Dhingra and Pedersen were excused.

MOTION

On motion of Senator Rivers, Senator Zeiger was excused.

THIRD READING

ENGROSSED SENATE BILL NO. 5165, by Senators Saldaña, Hasegawa, Wellman, Darneille, Keiser, Nguyen, and Wilson, C.

Concerning discrimination based on citizenship or immigration status.

The bill was read on Third Reading.

Senators Saldaña, Liias, Kuderer and Hasegawa spoke in favor of passage of the bill.

Senators Padden, Ericksen, Fortunato, Walsh, Schoesler, Warnick and Wagoner spoke against passage of the bill.

Senator Salomon spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5165.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5165 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 20; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick and Wilson, L.

Excused: Senators Dhingra, Pedersen and Zeiger

ENGROSSED SENATE BILL NO. 5165, having received the 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, the rules were suspended and Engrossed Second Substitute Senate Bill No. 5740 was returned to second reading for the purpose of amendment.

MOTION

Senator Mullet moved that the following striking amendment by Senator Mullet be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. **Sec. 3.** This act may be known and cited as the secure choice retirement savings program act.

NEW SECTION. **Sec. 4.** The legislature finds: That large numbers of households in this state have no or inadequate retirement savings and many of those households do not have access to any savings plan at work; that this lack of retirement savings and coverage is more prevalent among low-income households; and that it is well-established that most workers will save for retirement if they are offered a workplace savings program using an opt-out approach. Washington state is deeply concerned about the retirement prospects of its citizens and the strain that large numbers of ill-prepared retirees may impose on taxpayer-financed elderly assistance programs for housing, food, medical care, and other necessities. Accordingly, this act will facilitate voluntary retirement savings by workers in this state by establishing an IRA savings program with automatic enrollment ("auto-IRA") and requiring employers in this state that do not offer a retirement plan to make the program available to their employees.

NEW SECTION. **Sec. 5.** The definitions in this section apply throughout sections 2 through 13 of this act unless the context clearly requires otherwise.

(1) "Administrative fee" means the amount deducted from the investment fund of a covered employee and used to pay the costs associated with administering the program.

(2) "Administrative fund" means the secure choice retirement savings administrative fund established under section 7 of this act.

(3) "Commissioner" means the commissioner of the employment security department.

(4) "Compensation" means compensation within the meaning of section 219(f)(1) of the internal revenue code that is received by a covered employee from a covered employer or a professional employer organization, as such term is defined in RCW 50.04.298.

(5) "Contribution rate" means the percentage of a covered employee's compensation that is withheld from his or her compensation and paid to the IRA established for the covered employee under the program.

(6) "Covered employee" means any individual who is eighteen years of age or older, who is in the employment of a covered employer, and who has compensation that is allocable to the state. For purposes of the investment, fee, withdrawal, transfer, rollover, or other distribution of an IRA, the term covered employee also includes the beneficiary of a deceased covered employee and an "alternate payee" under state domestic relations law. For purposes of sections 2 through 13 of this act, a covered employee, as defined in this subsection, who is performing

services for a client employer that has entered into a professional employer agreement with a professional employer organization, as such terms are defined in RCW 50.04.298, must be treated as in the employment of the client employer and not by the professional employer organization.

(7) "Covered employer" means an employer that either:

(a) Satisfies the following requirements:

(i) Has been in business for at least five years;

(ii) Has not sponsored, maintained, or contributed to a retirement plan under sections 401(a), 401(k), 403(a), 403(b), 408(k), or 408(p) of the internal revenue code, including such a plan sponsored or maintained by a professional employer organization with which the employer has a professional employer agreement, as such terms are defined in RCW 50.04.298, at any time during the preceding two calendar years and does not currently sponsor, maintain, or contribute to a retirement plan; and

(iii) Has more than five individuals in employment. For purposes of this subsection (7)(a)(iii), the size of the employer for a calendar year shall be determined by averaging the number of employees reported by the employer pursuant to RCW 50A.20.030 over the four completed quarters immediately preceding July 1st in the immediately previous year; or

(b) Elects to be a covered employer if and as permitted in accordance with rules and procedures established by the commissioner.

(8) "Employer" means a person or entity engaged in a business, profession, trade, or other enterprise in the state, whether for profit or not for profit; provided that a federal or state entity, agency, or instrumentality, or any political subdivision thereof, is not an employer.

(9) "Employment" has the same meaning as in RCW 50A.05.010.

(10) "Internal revenue code" means the federal internal revenue code of 1986, as amended.

(11) "Investment adviser" means:

(a) An investment adviser registered under the federal investment advisers act of 1940; or

(b) A bank or other institution exempt from registration under the federal investment advisers act of 1940.

(12) "Investment fund" means each investment portfolio established by the commissioner within the trust for investment purposes.

(13) "IRA" means either an individual retirement account or individual retirement annuity established under section 408 or 408A of the internal revenue code.

(14) "Program" means the secure choice retirement savings program established under sections 2 through 13 of this act.

(15) "Trust" means the IRA retirement trust or annuity contract established under section 8 of this act.

(16) "Trustee" means the trustee of the trust, including an insurance company issuing an annuity contract, selected by the commissioner under section 8 of this act.

NEW SECTION. Sec. 6. (1) The commissioner has the following powers and duties:

(a) To design, establish, and operate the program in accordance with the requirements set forth in sections 2 through 13 of this act;

(b) To collect administrative fees to defray the costs of administering the program;

(c) To enter into contracts necessary or desirable for the establishment and administration of the program;

(d) To hire, retain, and terminate other state or nonstate entities as the commissioner deems necessary or desirable for all or part of the services necessary for the management of the program including, but not limited to, consultants, investment advisers,

trustees, custodians, insurance companies, recordkeepers, administrators, actuaries, counsel, auditors, and other professionals; provided that each service provider must be authorized to do business in this state;

(e) To determine the type or types of IRAs to be offered; the default contribution rate, provided that the default contribution rate is no less than three percent and no more than ten percent of a covered employee's compensation; and the automatic escalation rate provided that the contribution rate is no more than ten percent;

(f) To employ a program director and such other individuals as the commissioner determines to be necessary or desirable to administer the program and the administrative fund;

(g) To develop and implement an outreach plan to gain input and disseminate information regarding the program and retirement and financial education in general, to employees, employers, and other constituents in the state;

(h) To prescribe the records covered employers must maintain, and to inspect and make copies of such records at any reasonable time and as often as may be necessary;

(i) To develop and implement a marketing strategy for the program that includes outreach to communities of color and encourages small business engagement;

(j) To determine the number of days by which an eligible employer must make the program available to a covered employee upon first becoming an eligible employer or covered employee;

(k) To adopt rules and procedures for the establishment and operation of the program and to take such other actions necessary or desirable to establish and operate the program in accordance with sections 2 through 13 of this act.

(2) The commissioner shall use the following principles in the design and operation of the program:

(a) Operate with reasonable costs but sufficient to ensure that the program is sustainable;

(b) Structure the program so that covered employees are automatically enrolled and covered employer participation is required;

(c) Ensure that the program does not conflict with or be preempted by federal law, including the employee retirement income security act of 1974;

(d) Provide customer service processes to any and all pertinent persons and disseminate program information to covered employers and covered employees;

(e) Monitor the investment adviser's financial management policies, processes, and performance.

(3) Other state agencies must provide appropriate and reasonable assistance to the commissioner as needed, including gathering data and information, in order for the commissioner to carry out the purpose of sections 2 through 13 of this act. The commissioner may reimburse the other state agencies from the administrative fund established in section 7 of this act for reasonable expenses incurred in providing appropriate and reasonable assistance.

(4) The commissioner shall not impose any obligations on the state, nor may it pledge the credit of the state.

(5) The commissioner, in consultation with the legislature, has the discretion to establish an advisory board of individuals with experience in investments or retirement plan oversight and management.

(6) The commissioner, in consultation with the state investment board and the department of financial institutions, has discretion to establish and maintain the program by: Contracting with another state to use that state's auto-IRA program, partnering with one or more states to create a joint auto-IRA program that includes the program, or forming a consortium with one or more

FIFTH DAY, JANUARY 17, 2020

2020 REGULAR SESSION

other states in which certain aspects of each state's program are combined for administrative convenience and efficiency, provided that in any such case, the auto-IRA program used, the joint program, or the consortium otherwise satisfies the requirements of this chapter.

NEW SECTION. Sec. 7. (1) The commissioner, the trustee, and each investment adviser or other person which has discretionary control of the assets of the trust shall be a fiduciary with respect to the trust and IRAs established and maintained under the program.

(2) Each covered employer is required to provide covered employees with such information as the commissioner directs. No employer acting as such is a fiduciary with respect to the trust or an IRA or has fiduciary responsibilities under sections 2 through 13 of this act.

(3) Each fiduciary shall discharge its duties with respect to the program solely in the interests of covered employees and with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with those matters would use in the conduct of an enterprise of like character and aims.

NEW SECTION. Sec. 8. The secure choice retirement savings program must be designed, established, and operated in accordance with the following:

(1) Each covered employer is required to offer to each covered employee an opportunity to contribute to an IRA established under the program for the benefit of the covered employee through withholding from his or her compensation. No employer is permitted to contribute to the program or to endorse or otherwise promote the program.

(2) Unless the covered employee chooses otherwise, he or she shall be automatically enrolled in the program and contributions shall be withheld from such covered employee's compensation at a rate set by the commissioner unless the covered employee elects not to contribute or to contribute at a different rate.

(3) The contribution rate of each covered employee shall be increased at such rate and at such intervals as from time to time established by the commissioner, unless the covered employee elects not to have such automatic increases apply.

(4) The contribution rate of each covered employee shall be applied whenever a covered employer compensates a covered employee. A covered employer may not withhold contributions in lump sums from a covered employee.

(5) An individual who no longer meets the definition of a covered employee solely because the number of individuals in the employment of the individual's employer is reduced from more than five to five or less must be permitted to continue to contribute to the IRA established for the individual's benefit without the participation of the individual's employer.

(6) The IRAs are intended to qualify for favorable federal income tax treatment under section 408 or 408A of the internal revenue code.

(7) The commissioner may establish intervals after which a covered employee must reaffirm elections, including opt-out elections, with regard to participation or escalation.

(8) Each covered employer shall deposit covered employees' withheld contributions under the program with the trustee in such manner as is determined by the commissioner, provided that the employer shall deliver the amounts withheld to the trustee in good order within ten business days after the date such amounts otherwise would have been paid to the covered employee.

(9) The commissioner shall determine the rules and procedures for withdrawals, distributions, transfers, and rollovers of IRAs and for the designation of IRA beneficiaries.

(10) The commissioner shall report annually to the governor and the legislature outlining the commissioner's activities and the program's operations.

(11) The commissioner shall cause to be furnished to each covered employer and may provide directly to covered employees:

(a) Information regarding the program;

(b) Required disclosures to be furnished to covered employees. Such disclosures must include:

(i) A description of the benefits and risks associated with making contributions under the program;

(ii) Instructions about how to obtain additional information about the program;

(iii) A description of the tax consequences of an IRA, which may consist of or include the disclosure statement required to be distributed by the trustee under the internal revenue code and the treasury regulations thereunder;

(iv) A statement that covered employees seeking financial advice should contact their own financial advisers and that covered employers are not in a position to provide financial advice and that covered employers are not liable for decisions covered employees make under sections 2 through 13 of this act;

(v) A statement that the program is not an employer-sponsored retirement plan;

(vi) A statement that neither the program nor the covered employee's IRA established under the program is guaranteed by the state;

(vii) A statement that neither a covered employer nor the state will monitor or has an obligation to monitor the covered employee's eligibility under the internal revenue code to make contributions to an IRA or to monitor whether the covered employee's contributions to the IRA established for the covered employee under the program exceed the maximum permissible IRA contribution; that it is the covered employee's responsibility to monitor such matters; and that the state, the program, and the covered employer have no liability with respect to any failure of the covered employee to be eligible to make IRA contributions or any contribution in excess of the maximum IRA contribution;

(c) Information, forms, and instructions to be furnished to covered employees at such times as the commissioner determines that provide the covered employee with the procedures for:

(i) Making contributions to the covered employee's IRA established under the program, including a description of the automatic enrollment rate, the automatic escalation rate and frequency, and the right to elect to make no contribution or to change the contribution rate under the program;

(ii) Making an investment election with respect to the covered employee's IRA established under the program, including a description of the default investment fund;

(iii) Making transfers, rollovers, withdrawals, and other distributions from the covered employee's IRA.

(12) Each covered employer shall deliver or facilitate the delivery of the items set forth in subsection (11)(b) and (c) of this section to each covered employee at such time and in such manner as determined by the commissioner.

(13) The program must be designed and operated in a manner that will cause it not to be an employee benefit plan within the meaning of section 3(3) of the employee retirement income security act of 1974. If any provision of this act is found to be in conflict with federal law or regulations, including the employee retirement income security act of 1974, the conflicting provision of this act is declared to be inoperative solely to the extent of the conflict, and that finding or determination shall not affect the operation of the remainder of this act.

(14) Nothing in sections 2 through 13 of this act prohibits a covered employer from contracting with a third party, such as a payroll service provider or a professional employer organization, to assist such employer with the tasks required of a covered employer under sections 2 through 13 of this act.

NEW SECTION. Sec. 9. (1) The secure choice retirement savings administrative fund is hereby established in the custody of the state treasurer as a nonappropriated account separate and apart from the trust. The commissioner shall use moneys in the administrative fund to pay for administrative expenses it incurs in the performance of its duties under sections 2 through 13 of this act. The administrative fund may receive any grants or other moneys designated for the administrative fund from the state, or any unit of federal or local government, or any other person. Any interest earnings that are attributable to moneys in the administrative fund must be deposited into the administrative fund. Only the commissioner may authorize expenditures from the fund. The fund is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(2) The fund is authorized to maintain a cash deficit in the fund for a period of no more than eight fiscal years after the implementation of the secure choice retirement savings program to defray its initial program administration costs. By January 1, 2021, the commissioner shall establish a program administration spending plan and an administrative fee schedule to discharge any projected cash deficit to the fund. The legislature may make appropriations into the fund for the purpose of reducing program administration costs.

(3) Administrative fees may be used to contract with another state to use that state's program or to create a joint program or consortium with one or more states offering an existing program. No other state funds may be used to contract or partner with one or more other states.

NEW SECTION. Sec. 10. There is hereby created as an instrumentality of the state a trust to be known as the secure choice retirement savings trust.

(1) The commissioner shall appoint an institution qualified to act as trustee of IRA trusts or insurance company issuing annuity contracts under section 408 of the internal revenue code and licensed to do business in the state to act as trustee.

(2) The assets of IRAs established for covered employees must be allocated to the trust and combined for investment purposes. Trust assets must be managed and administered for the exclusive purposes of providing benefits to covered employees and defraying reasonable expenses of administering and maintaining, and managing investments, of the IRAs and the trust, including the expenses of the commissioner under this act.

(3) The commissioner shall establish within the trust one or more investment funds, each pursuing an investment strategy and policy established by the commissioner. The underlying investments of each investment fund shall be diversified, to the extent the commissioner determines to be appropriate, so as to minimize the risk of large losses under the circumstances. The commissioner may, at any time and from time to time, add, replace, or remove any investment fund.

(4) The commissioner may allow covered employees to allocate assets of their IRAs among such investment funds and in such case, the commissioner also may designate an investment fund as a default investment for the IRAs of covered employees who do not make an investment choice.

(5) Subject to subsection (6) of this section, the commissioner, in consultation with such third-party professional investment advisers, managers, or consultants as it may retain, shall select the underlying investments of each investment fund. Such underlying investments may include, without limitation, shares of mutual

funds and exchange-traded funds, publicly traded equity, and fixed-income securities, and other investments available for investment by the trust. No investment fund may invest in any bond, debt instrument, or other security issued by this state.

(6) The commissioner may, in its discretion, retain an investment adviser to select and manage the investments of an investment fund on a discretionary basis, subject to the commissioner's ongoing review and oversight.

(7) The trustee is subject to directions of the commissioner under subsection (5) of this section or an investment adviser under subsection (6) of this section and otherwise has no responsibility for the selection, retention, or disposition of trust investments or assets.

(8) The assets of the trust must at all times be preserved, invested, and expended solely for the purposes of the trust and no property rights therein shall exist in favor of the state or any covered employer. Trust assets may not be transferred or used by the state for any purposes other than the purposes of the trust or funding the expenses of operating the program, including the expenses of the commissioner. Amounts deposited with the trustee are not property of the state and may not be commingled with state funds and the state has no claim to or against, or interest in, the trust assets.

(9) The assets of the trust shall at all times be held separate and apart from the assets of the state. None of the state, the program, the commissioner, nor any employer may guaranty any investment, rate of return, or interest on amounts held in the trust, an investment fund, or any IRA. None of the state, the program, the commissioner, or any employer is liable for any losses incurred by trust investments or otherwise by any covered employee or other person as a result of participating in the program except for any liability that arises out of such person's breach of fiduciary duty under section 5 of this act. The state, the program, the commissioner, or any employer is not liable for the payment of benefits earned by participating employees.

(10) Any security issued, managed, or invested by the commissioner within the secure choice retirement savings trust on behalf of an individual participating in the program is exempt from RCW 21.20.140.

(11) The trust is authorized to engage in trust business under Title 30B RCW and is exempt from the requirement to obtain a certificate of authority from the department of financial institutions under Title 30B RCW.

(12) If the commissioner determines to exercise his or her discretion under section 4(6) of this act to establish the program by using another state's auto-IRA program, establishing a joint program, or a consortium with one or more other states, then the trust may be established by adopting the trust established under such other state's program or as a master trust or similar arrangement with such other states, provided that such trust, master trust, or similar arrangement otherwise satisfies the requirements of this section.

NEW SECTION. Sec. 11. (1) If the commissioner determines to exercise his or her discretion under section 4(6) of this act:

(a) Only the secure choice retirement savings administrative fund may be used to contract with another state to use that state's program or to create a joint program or consortium with one or more states offering an existing program.

(b) The rate of the administrative fee for covered employees may not exceed the rate charged to employees of another state participating in the same program.

(2) If the commissioner determines to not exercise his or her authority under section 4(5) of this act, the rate of the administrative fee for covered employees may not exceed one and five-hundredths percent.

FIFTH DAY, JANUARY 17, 2020

2020 REGULAR SESSION

NEW SECTION. Sec. 12. (1) The commissioner may establish a pilot program for covered employers to auto enroll employees into an IRA by January 1, 2021. The commissioner may also provide for a staggered rollout of the program so that covered employers are initially required to offer the program to covered employees in stages based on employee headcount or such other criteria as may be established by the commissioner.

(2) The commissioner shall make the secure choice retirement savings program available to all covered employees no earlier than January 1, 2022, and no later than January 1, 2023.

NEW SECTION. Sec. 13. (1) Any information or records concerning an individual or employer obtained by the commissioner pursuant to the administration of this act shall be private and confidential, except as otherwise provided in this section.

(2) If information provided to the commissioner by another governmental agency is held private and confidential by state or federal law, the commissioner may not release such information, unless otherwise provided by this section.

(3) Information provided to the commissioner by another governmental entity conditioned upon privacy and confidentiality under a provision of law is to be held private and confidential according to the agreement between the commissioner and the other governmental agency unless otherwise provided by this section.

(4) If the commissioner determines to exercise his or her discretion under section 4(5) of this act to establish the program by using another state's auto-IRA program, establishing a joint program, or a consortium with one or more other states, then the laws of the state that is most protective of individual and employer confidentiality shall govern.

(5) The commissioner may disclose information or records deemed private and confidential under this chapter to any private person or organization, including the trustee, and by extension, the agents of any private person or organization, when the disclosure is necessary to permit private contracting parties to assist in the operation, management, and implementation of the program. The private person or organization shall use the information or records solely for the purpose for which the information was disclosed and are bound by the same rules of privacy and confidentiality as the commissioner.

(6) An individual shall have access to all records and information concerning that individual held by the commissioner unless the information is exempt from disclosure under RCW 42.56.410.

(7) An employer shall have access to its own records relating to any audit conducted or penalty assessed by the commissioner under this chapter.

(8) No decision by the commissioner or the appeals tribunal shall be deemed private and confidential under this section unless the decision is based on information obtained in a closed hearing.

(9) Information or records deemed private and confidential under this section shall be available to parties to judicial or formal administrative proceedings only upon a written finding by the presiding officer that the need for the information or records in the proceeding outweighs any reasons for the privacy and confidentiality of the information or records.

(10) Nothing in this chapter shall prevent the disclosure of information or records deemed private and confidential under this section if all details identifying an individual or employer are deleted so long as the information or records cannot be foreseeably combined with other publicly available information to reveal the identity of an individual or employer.

(11)(a) All private persons, governmental agencies, and organizations authorized to receive information from the

commissioner under this chapter have an affirmative obligation to take all reasonable actions necessary to prevent the disclosure of confidential information.

(b) The disclosure of any records or information by a private person, governmental agency, or organization that obtained the records or information from the commissioner under this section is prohibited unless expressly permitted by this section.

(c) If misuse or an unauthorized disclosure of confidential records or information occurs, all parties who are aware of the violation must inform the commissioner immediately and must take all reasonably available actions to rectify the disclosure to the commissioner's standards.

(d) The misuse or unauthorized release of records or information deemed private and confidential under this chapter by any private person, governmental agency, or organization to which access is permitted by this section shall subject the person, governmental agency, or organization to a civil penalty of up to twenty thousand dollars in the first year of the program and annually adjusted by the commissioner based on changes in the United States consumer price index for all urban consumers. Other applicable sanctions under state and federal law also apply.

(e) Suit to enforce this section shall be brought by the attorney general and the amount of any penalties collected shall be paid into the secure choice retirement savings administrative fund established in section 7 of this act. The attorney general may recover reasonable attorneys' fees for any action brought to enforce this section.

(12) This section does not contain a rule of evidence.

NEW SECTION. Sec. 14. (1) A covered employer who fails, without reasonable cause, as defined by the commissioner in rule, to facilitate the enrollment of eligible employees in the program, shall pay a penalty for each employee for each year or portion of a year the employer failed to facilitate the enrollment of the employee. The penalty shall start at two hundred fifty dollars for each employee for which the employer has failed to facilitate the enrollment of the employee for the first year of the program and shall be annually adjusted by the commissioner based on changes in the United States consumer price index for all urban consumers.

(2) The commissioner shall have the same rights to collect penalties charged pursuant to this chapter as those contained in chapter 50A.45 RCW, so long as the employer is offered the same rights to appeal any order and notice of assessment as those contained in chapter 50A.50 RCW. The remedies provided in chapter 50A.50 RCW for determining the justness or correctness of the penalties charged shall be exclusive and no court shall entertain any action to enjoin an assessment or require a refund or adjustment except in accordance with the provisions of chapter 50A.50 RCW.

(3) Penalties charged pursuant to this chapter shall be deposited in the secure choice retirement savings administrative fund established in section 7 of this act.

(4) The commissioner shall not assess penalties to covered employers until July 1, 2025.

NEW SECTION. Sec. 15. (1) The commissioner must develop an implementation plan that details how the employment security department will design, establish, operate, and market the program under sections 2 through 10 of this act.

(2) By December 1, 2020, and in compliance with RCW 43.01.036, the commissioner must submit a report to the appropriate committees of the legislature describing the implementation plan.

(3) Beginning on December 1st of the first year after fully implementing the program, the commissioner must report annually on administrative fees. The report shall include:

(a) A financial update on the status of the secure choice retirement savings administrative fund;

(b) The administrative fee cost basis assigned to each state participating in the program;

(c) The uses of administrative fees; and

(d) A plan to reduce the administrative fee cost basis for covered employees as the assets under management in the secure choice retirement savings trust increase over time.

NEW SECTION. Sec. 16. RCW 43.330.730 (Finding—2015 c 296) is decodified.

Sec. 17. RCW 43.330.732 and 2015 c 296 s 2 are each amended to read as follows:

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

(1) "Approved plans" means retirement plans offered by private sector financial services firms that meet the requirements of this chapter to participate in the marketplace.

(2) "Balanced fund" means a mutual fund that has an investment mandate to balance its portfolio holdings. The fund generally includes a mix of stocks and bonds in varying proportions according to the fund's investment outlook.

(3) "Eligible employer" means a self-employed individual, sole proprietor, or an employer with ~~((fewer than))~~ at least one ~~((hundred))~~ qualified employee(s) at the time of enrollment.

(4) "Enrollee" means any employee who is voluntarily enrolled in an approved plan offered by an eligible employer through the Washington small business retirement marketplace.

(5) ~~((("myRA" means the myRA retirement program administered by the United States department of the treasury that is available to all employers and employees with no fees or no minimum contribution requirements. A myRA is a Roth IRA option and investments in these accounts are backed by the United States department of the treasury.~~

~~((6))~~ "Participating employer" means any eligible employer with employees enrolled in an approved plan offered through the Washington small business retirement marketplace who chooses to participate in the marketplace and offers approved plans to employees for voluntary enrollment.

~~((7))~~ ~~((6))~~ "Private sector financial services firms" or "financial services firms" mean persons or entities licensed or holding a certificate of authority and in good standing by either the department of financial institutions or the office of the insurance commissioner and meeting all federal laws and regulations to offer retirement plans.

~~((8))~~ ~~((7))~~ "Qualified employee" means those workers who are defined by the federal internal revenue service to be eligible to participate in a specific qualified plan.

~~((9))~~ ~~((8))~~ "Target date or other similar fund" means a hybrid mutual fund that automatically resets the asset mix of stocks, bonds, and cash equivalents in its portfolio according to a selected time frame that is appropriate for a particular investor. A target date is structured to address a projected retirement date.

~~((10))~~ ~~((9))~~ "Washington small business retirement marketplace" or "marketplace" means the retirement savings program created to connect eligible employers and their employees with approved plans to increase retirement savings.

Sec. 18. RCW 43.330.735 and 2017 c 69 s 1 are each amended to read as follows:

(1) The Washington small business retirement marketplace is created.

(2) Prior to connecting any eligible employer with an approved plan in the marketplace, the director shall design a plan for the operation of the marketplace.

(3) The director shall consult with the Washington state department of retirement systems, the Washington state

investment board, and the department of financial institutions in designing and managing the marketplace.

(4) The director shall approve for participation in the marketplace all private sector financial services firms that meet the requirements of RCW 43.330.732~~((7))~~ ~~((6))~~.

(5) A range of investment options must be provided to meet the needs of investors with various levels of risk tolerance and various ages. The director must approve a diverse array of private retirement plan options that are available to employers on a voluntary basis, including but not limited to life insurance plans that are designed for retirement purposes, and plans for eligible employer participation such as: (a) A SIMPLE IRA-type plan that provides for employer contributions to participating enrollee accounts; and (b) a payroll deduction individual retirement account type plan or workplace-based individual retirement accounts open to all workers in which the employer does not contribute to the employees' account.

(6)(a) Prior to approving a plan to be offered on the marketplace, the department must receive verification from the department of financial institutions or the office of the insurance commissioner:

(i) That the private sector financial services firm offering the plan meets the requirements of RCW 43.330.732~~((7))~~ ~~((6))~~; and

(ii) That the plan meets the requirements of this section excluding subsection (9) of this section which is subject to federal laws and regulations.

(b) If the plan includes either life insurance or annuity products, or both, the office of the insurance commissioner may request that the department of financial institutions conduct the plan review as provided in (a)(ii) of this subsection prior to submitting its verification to the department.

(c) The director may remove approved plans that no longer meet the requirements of this chapter.

(7) The financial services firms participating in the marketplace must offer a minimum of two product options: (a) A target date or other similar fund, with asset allocations and maturities designed to coincide with the expected date of retirement and (b) a balanced fund. ~~((The marketplace must offer myRA.))~~

(8) In order for the marketplace to operate, there must be at least two approved plans on the marketplace; however, nothing in this subsection shall be construed to limit the number of private sector financial services firms with approved plans from participating in the marketplace.

(9) Approved plans must meet federal law or regulation for internal revenue service approved retirement plans.

(10) The approved plans must include the option for enrollees to roll pretax contributions into a different individual retirement account or another eligible retirement plan after ceasing participation in a plan approved by the Washington small business retirement marketplace.

(11) Financial services firms selected by the department to offer approved plans on the marketplace may not charge the participating employer an administrative fee and may not charge enrollees more than one hundred basis points in total annual fees and must provide information about their product's historical investment performance. Financial services firms may charge enrollees a de minimis fee for new and/or low balance accounts in amounts negotiated and agreed upon by the department and financial services firms. The director shall limit plans to those with total fees the director considers reasonable based on all the facts and circumstances.

(12) Participation in the Washington small business retirement marketplace is voluntary for both eligible employers and qualified employees.

(13) Enrollment in any approved plan offered in the marketplace is not an entitlement.

FIFTH DAY, JANUARY 17, 2020

2020 REGULAR SESSION

Sec. 19. RCW 43.79A.040 and 2019 c 448 s 10, 2019 c 363 s 21, 2019 c 295 s 225, 2019 c 282 s 7, 2019 c 266 s 26, and 2019 c 157 s 4 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 Gina Grant Bull memorial legislative page scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program 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 county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the fair fund, the family and medical leave insurance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator 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 Washington history day account, 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 low-income home rehabilitation revolving loan program account, the multiagency permitting team account, the northeast Washington wolf-livestock management 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 library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the secure choice retirement savings administrative fund, and the library operations account.

(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. 20. RCW 30B.04.040 and 2019 c 389 s 4 are each amended to read as follows:

A person is exempt from the requirement of a certificate of authority or approval under this title if the person is:

(1) An individual, sole proprietor, or general partnership or joint venture composed of individuals;

(2) Engaging in business in Washington state (a) as a national banking association or (b) as a federal mutual savings bank, federal stock savings bank, or federal savings and loan association under authority of the office of the comptroller of the currency;

(3) Acting in a manner otherwise authorized by law and within the scope of authority as an agent of a trust institution with respect to an activity which is not an unauthorized trust activity;

(4) Acting as a fiduciary solely by reason of being appointed by a court to perform the duties of a trustee, guardian, conservator, or receiver;

(5) While holding oneself out to the public as an attorney-at-law, law firm, or limited license legal technician, performing a service customarily performed as an attorney-at-law, law firm, or limited license legal technician in a manner approved and authorized by the supreme court of the state of Washington;

(6) Acting as an escrow agent pursuant to the escrow agent registration act, chapter 18.44 RCW, or in one's capacity as an authorized title agent under Title 48 RCW;

(7) Acting as trustee under a deed of trust delivered only as security for the payment of money or for the performance of another act;

(8) Receiving and distributing rents and proceeds of sale as a licensed real estate broker on behalf of a principal in a manner authorized by the Washington department of licensing;

(9) Engaging in a commodities or securities transaction or providing an investment advisory service in the capacity of a registered broker-dealer, investment ~~((adviser))~~ adviser, or registered representative thereof, provided the activity is regulated by the department, the United States commodities

futures trading commission, or the United States securities and exchange commission;

(10) Engaging in the sale and administration of an insurance product by an insurance company or agent licensed by the office of the insurance commissioner to the extent that the activity is regulated by the office of the insurance commissioner;

(11) Acting as trustee under a voting trust as provided by Washington state law;

(12) Acting as trustee by a public, private, or independent institution of higher education or a university system authorized under Washington state law, including its affiliated foundations or corporations, with respect to endowment funds or other funds owned, controlled, provided to, or otherwise made available to such institution with respect to its educational or research purposes;

(13) Acting as a private trust or private trust company to the extent exempt from regulation of the department as set forth in chapter 30B.64 RCW; ((or))

(14) The trust created in section 8 of this act, or a trustee of such trust; or

(15) Engaging in other activities expressly excluded from the application of this title by rule of the director.

NEW SECTION. Sec. 21. If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state or the eligibility of employers in this state for federal unemployment tax credits, the conflicting part of this act is inoperative solely to the extent of the conflict, and the finding or determination does not affect the operation of the remainder of this act. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state or the granting of federal unemployment tax credits to employers in this state.

NEW SECTION. Sec. 22. Sections 2 through 13 of this act are each added to chapter 43.330 RCW."

On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "amending RCW 43.330.732, 43.330.735, and 30B.04.040; reenacting and amending RCW 43.79A.040; adding new sections to chapter 43.330 RCW; creating new sections; decodifying RCW 43.330.730; and prescribing penalties."

The President declared the question before the Senate to be the adoption of the striking amendment by Senator Mullet to Engrossed Second Substitute Senate Bill No. 5740.

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

MOTION

On motion of Senator Mullet, the rules were suspended, Second Engrossed Second Substitute Senate Bill No. 5740 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

Senator Wilson, L. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed Second Substitute Senate Bill No. 5740.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Second Substitute Senate Bill No. 5740 and the bill

passed the Senate by the following vote: Yeas, 26; Nays, 20; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Frockt, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Brown, Ericksen, Fortunato, Hasegawa, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick and Wilson, L.

Excused: Senators Dhingra, Pedersen and Zeiger

SECOND ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5740, having received the 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 11:33 a.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Monday, January 20, 2020.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon adjournment.

Senator Warnick announced a meeting of the Republican Caucus immediately upon adjournment.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

EIGHTH DAY

NOON SESSION

Senate Chamber, Olympia
Monday, January 20, 2020

The Senate was called to order at 12:08 p.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Alexander Scott and Miss Sofia Vigil, presented the Colors. Page Miss Lilly Wyborney led the Senate in the Pledge of Allegiance.

"Lift Every Voice and Sing," known as the Black National Anthem was performed by Ms. Michelle Lang, Mr. Isaiah Banks, and Miss Sydney Coleman representing Seattle's Teen Summer Musical program sponsored by the City of Seattle's Department of Parks and Recreation.

The prayer was offered by Reverend Ms. Troy Lynn Carr of Grace United Methodist Church, Seattle.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced former Senator Rosa Franklin, who was seated at the rostrum.

With permission of the Senate, business was suspended to allow former Senator Rosa Franklin to address the Senate.

REMARKS BY FORMER SENATOR FRANKLIN

Former Senator Franklin: "Well, thank you Lieutenant Governor. It is indeed a deep honor to be back. It's overwhelming really. And to be in this body, and to see that you came to see me. When Senator Hunt, who sits over there, called me several months ago, and said that the Legislative Oral History Committee has voted for you to tell your story, I thought maybe he was kidding. You can't be that, that can't be true. And then, of course, you, knowing me, I started talking. He reassured me that it was true. So, I am here for that. And, as you, of course, read the story of my life and the work her in this august body, each time I come onto this campus and see what is happening, it is a humbling experience and I know that it is sort of a heavy load but I say everybody should do it once. They will know what it is all about. And so, I would say thank you so much for this honor and as Nancy Pelosi says, 'Yes, I'm praying for you,' because I know what your load is. Thank you so much and it is so great to see you."

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Pastor Richmond Johnson, from Mount Zion Missionary Baptist Church in Bremerton, who was seated at the rostrum.

With permission of the Senate, business was suspended to allow Pastor Richmond Johnson to address the Senate and recite "*I've Been to the Mountaintop*," a speech given by the Reverend Dr. Martin Luther King Jr.'s speech in Memphis, April 3, 1968.

REMARKS BY PASTOR RICHMOND JOHNSON

Pastor Richmond Johnson: "Good evening to each of you. Give honor to God, to my Lord and Savior Jesus Christ. Thanking God for Lieutenant Governor Cyrus Habib, all the senators who are

here. I'm really happy to have Senator Christine Rolfes as our representative in Kitsap County-Bremerton area along with Senator Emily Randall and our wise guru that's been around for quite a while, Senator Timothy Sheldon, who represents Kitsap County. Also, happy my wife is here with me today up in the balcony somewhere, my high school sweetheart Arnetter. I learned her name with the phrase *I need her*. And, I have my granddaughter, the lovely Jenea.

Go with me to Memphis, Tennessee where Dr Martin Luther King delivered his last message. It was on April the third 1968, at the Mason Temple. The next day Dr. King was assassinated. Dr. King realized that his message could be effective when he had an audience that was united with him in conversation. This is referred to as participatory proclamation. The message engages the people by inviting them to be a part of the message. And so, when you participate you invest in the experience you, you put your cell phones off, you Facebook, stop Facebooking and then you collapse sometimes, you shout, you laugh. Our feelings are released in voice.

Dr. King: 'I'm delighted to see each of you here today in spite of a storm warning. You reveal that you are determined to go on anyhow. Something is happening in Memphis. Something is happening in our world. If I was standing at the beginning of time, with the possibility of taking account of general panoramic view of the whole of human history up to now, and the Almighty said to me, '*Martin King, which age would you like to live in?*'

I would take my mental flight by Egypt and I would watch God's children as they journeyed from the dark dungeons of slavery across the Red Sea through the wilderness on into the Promised Land. But I wouldn't stop there. I would move on by Greece and take my mind to Mount Olympus. And I would watch Plato and Aristotle, Socrates, Euripides and Aristophanes assembled around the Parthenon. And I would watch them gathered around the Parthenon as they discussed the great and moral issues of reality. But I wouldn't stop there.

I would even go by the way of the man for whom I am named had his habitat. And I would watch Martin Luther as he nailed his ninety-five theses on the church door at Wittenberg. But I wouldn't stop there.

I would even come on up to 1863, and I would watch a strategic thinking President by the name of Abraham Lincoln finally come to the conclusion that he had to sign the Emancipation Proclamation. But I wouldn't stop there.

I would even come up to the early thirties, and I would see a man grappling with the problems of bankruptcy of his nation. And come with the eloquent cry that 'we have nothing to fear but fear itself.' But I wouldn't stop there.

I would turn to the Almighty, and I would say, if you would allow me to live just a few years in the second half of the 20th century, I would be happy.

Now that's a strange statement to make, the world is all messed up. Things are going crazy. But I know that somehow, only when it is dark enough can you see the stars. And I see God working in a mighty way, even today. And I'm happy to live in this period because we've been forced to a point where we to the face the sickness in America, the sickness called racism. Racism is still that hound of hell which dogs the tracks of our civilization. And we got to deal with it.

Now, what does that mean in this great period of history? It means that we've got to stay together. We've got to stay together and maintain unity. You know, whenever Pharaoh wanted to

prolong the period of slavery in Egypt, he had a familiar formula for doing it. What was that? He kept the slaves fighting among themselves. Because whenever slaves get together, that's the beginning of getting out of slavery. So, we've got to maintain unity. We don't want to just remember the Alamo; we want to remember slavery. In 1863, the Negro was granted freedom from physical slavery through the Emancipation Proclamation. But he was not given land to make that freedom meaningful. And, at the same time our government was giving away millions of acres of land in the Midwest and the West, which meant that the nation was willing to undercut the white people from Europe and refusing to do it for the black people from Africa who were held in slavery for nearly 244 years. And that is why Frederick Douglas would say, 'Emancipation for the black man was freedom to hunger, freedom without roofs to cover their head, it was freedom without bread to eat, without land to cultivate. It was freedom and famine at the same time. And it is a miracle that the black people have survived.' We've never made any gain in civil rights without constant, persistent, legal and non-violent pressure. Power is not conceded without demand.

While certain communities celebrate capitalism, others of us have no capital. And those that have don't seem to remember that capitalism was built on the back of black slaves. So, I always say to America, is, 'Be true to what you said on paper.' If I lived in China or Russia, or any totalitarian country, maybe I could understand some of these illegal injunctions. Maybe I could understand the denial of certain basic First Amendment privileges, because they haven't committed themselves to that over there. But somewhere I read of the freedom of assembly. Somewhere I read of the freedom of speech. Somewhere I read of the freedom of the press. Somewhere I read that the greatness in America is the right to protest for right. And so just as I say, we aren't going to let dogs or water hoses turn us around, we're not going to let any injunction or racism turn us around. We are going to need all of you.

We need to be concerned about our brother. It's called empathy. Empathy. Now, you do understand empathy. It happened in a third-grade class. A nine-year-old boy was sitting at his desk, when all of a sudden there was a puddle between his legs. He didn't know how it happened. The front of his pants was wet, water going down his legs, and he began to cry. This had never happened to him before. Once the boys found out about him, they would pick on him the rest of his life. Once the girls found out they would never speak to him again. Once the teacher told his mama, she wasn't going to believe it, dad was going to whoop him. The boy started crying. Put his head on his desk and began to pray. He said 'God, this is an emergency. I need help, now. A few minutes from now it will be too late.' He picked up his head, the teacher was walking toward him and he began to say in his mind she done saw the puddle. And as she was walking toward him, one of his classmates named Susie, came in front of the teacher, tripped and dumped a bowl of water from a fishbowl in his lap. And the students started trying to clean up the water and the boy acted like he was upset, but deep down in his heart he was so happy. He was saying, 'Thank you, Lord!' Now the opportunity for him to be embarrassed was changed it was sympathy from the students. The teacher took him downstairs, got him some gym shorts, they cleaned up the mess, saved the fish, but poor Susie. She was looked at with disdain. They didn't even want her to help. Clumsy Susie. And at the end of the day, when they got on the bus nobody would sit by Susie. The little boy went over and sat by Susie and whispered in her ear, 'You did that on purpose, didn't you?' And she whispered back in his ear, 'I wet my pants once too.' Empathy. We've got to come to that point in our lives where we realize that it could be us outside. It could be us, no home and no shelter. So, empathy is what we need. We

need to develop a dangerous kind of empathy. Nothing would be more tragic than for us to stop at this point in history.

One day a man came to Jesus, and he wanted to raise some questions about some vital matters in life. At points, he wanted to trick Jesus and show Jesus he knew a little more than Jesus knew. And so, he asked the question, 'who is my neighbor?' Now, that question could have easily ended up in a theological debate, but Jesus immediately snatched that question out of mid-air and placed it on a dangerous curve between Jerusalem and Jericho and he talked about a certain man who fell among thieves. Some of you all remember a priest and a Levite who passed by, looked at him, didn't stop to help him but another man, from another race, came by, looked at the man, got down from his camel. Administered first aid to him. Put the man on his camel. Took him to an innkeeper. Gave him some money and said I've taken him as far as I can, here is some money, take him a little further, help him a little more and when I come back if I owe you something, I will pay you again. Jesus went on to say this was the good man. This was the great man because he had compassion for his brother. While many have used their imaginations to try to figure out why the priest and the Levite didn't stop. At times they said they were too busy, they had to hurry up and get to church, they didn't want to be late., But I am going to tell you what my imagination is telling me. It's possible that those men were afraid, because the Jericho road us a dangerous road. I remember when Mrs. King and I first visited Jerusalem. We were in a car and we drove down from Jerusalem to Jericho. And as soon as we got on that road I turned to my wife and said I can see why Jesus used this as a setting for his parable It's a winding meandering road and it's really conducive for ambushing. You start out in Jerusalem which is about twelve hundred feet above sea level and by the time you get to Jericho, fifteen or twenty minutes later, you are about twenty-two hundred feet below sea level. That's a dangerous road and the days of Jesus it became known as the bloody path. And so, it's possible that the priest and the Levite looked at that man on the side of the road and wondered were the robbers are still around. It's possible that they thought they were hiding in a dark spot so they could jump on them and rob them. And so the first question that the priest asked was if I stop to help this man what will happen to me? But then the good Samaritan came by and reversed the question 'if I do not stop to help this man, what will happen to him?' And that's the question before you tonight. Not 'if I stop to help the homeless what will happen to me?', but 'if I do not stop to help those in need what will happen to them?' That's the question so let us rise for the greater readiness. Let us stand with a greater determination. We have the opportunity to make America a better nation.

And I want to thank the Lord once more, for allowing me to be here with you. You know several years ago I was in New York City, autographing the first book that I had written. And while I sit there autographing books a black woman came up to me and all I heard was from her was, 'Are you Martin Luther King?' And as I kept my head down writing, I said, 'Yes.' The next thing I remember was a beating on my chest and before I realized that I had been stabbed by this demented woman. It was a dark Saturday afternoon. The blade had went through. I was rushed to the Harlem Hospital. X-rays revealed that the tip of the blade was on my aorta, the main artery, and once this is punctured you drown in your own blood. And that's the end of you. Well, it came out the next morning in the *New York Times* if I had merely sneezed, I would have died. Well about four days later, after the operation, after my chest had been opened up, after the blade had been taken out, I was allowed to move around in a wheelchair in the hospital. I was allowed to read letters that came in from all over the country, all over the world. Kind

EIGHTH DAY, JANUARY 20, 2020

2020 REGULAR SESSION

letters came in. I read a few. But one of them I will never forget. I received one for the President and the Vice President, but I have forgotten what those letters said. I received a letter and a visit from the Governor of New York, but I have forgotten what that letter said. But there was another letter, it came from a little girl, a young girl who was a student at the White Plains High School. I looked at that letter and I'll never forget it. It stated simply:

'Dear Dr. King, I am a ninth-grade student at the White Plains High School. And while it should not matter, I would like to mention that I'm a white girl. I read in the paper of your misfortune, and your suffering. And I read that if you had sneezed, you would have died. Well I'm writing you simply to say I'm so happy that you didn't sneeze.'

And I want to say to you today that I too am happy that I didn't sneeze. Because if I had sneezed, I wouldn't have been around here in 1960, when students all over the South started sitting-in at lunch counters. because I knew that while they were sitting in, they were really standing up and taking us back to understand the American Dream means all of us are created equally human. If I had sneezed, I wouldn't have been here in 1963, when the brothers, the black folk, the black people in Birmingham, Alabama, aroused the conscience of this nation, and brought into being the Civil Rights Bill. If I had sneezed, I wouldn't have been around here later on that year, to tell America about a dream I had. Yes, I'm so happy that I did not sneeze.

I don't know what's going to happen now. I left Atlanta this morning, and we arrived here in Memphis and the some began to talk about the threats that were out on my life. Well, I don't know what's going to happen now. We have some difficult days ahead. But I am not concerned about that now because I've been to the mountaintop. And I don't mind. Like anybody, I would like to live a long life. Longevity has its place. But I'm not concerned about that now. I just want to do God's will. And He's allowed me to go up to the mountain. And I've looked over. And seen the Promised Land. I may not get there with you. But I know as a people we'll get to the promised land!

Mine eyes have seen the Glory of the coming of the Lord. Halleluiah.

Thank God for Dr. King. Thank God for our Champions of Justice, sister Rosa Franklin, thank God for each of you and God Bless America."

REMARKS BY THE PRESIDENT

President Habib: "I just don't know. I think I speak for all of us when I say I don't think that I have ever had an experience quite as special here in this Washington State Senate Chamber. Was that not unbelievable? It was unbelievable. It was unbelievable. We are so blessed, we are so blessed, I think we will always, all of us, remember that feeling. It gives me chills. Thank you, Pastor. Thank you to everyone who participated in this very special opening ceremony."

MOTION

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

REMARKS BY SENATOR LIAS

Senator Liias: "Thank you Mr. President. I add to your thanks and I want to especially thank Senator Becker. She's the one that reminded us that we'd had the pastor before, before I served in the Senate. And, I want to thank my aide, Curt

Kohlwes and the rostrum staff for the interim long search until we finally laid eyes on the Reverend and got him back here to be with us. So, thank you to Senator Becker and the whole team that got him here for us as well. What a great way to start the ceremony."

MOTION

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

MOTION

Senator Saldaña moved adoption of the following resolution:

SENATE RESOLUTION

8660

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

WHEREAS, Today, the third Monday in January, we remember and honor the life and legacy of Dr. Martin Luther King, Jr., who became a beacon of hope for actualizing racial equality in our nation; and

WHEREAS, 2020 marks the fifty-second anniversary of Dr. King's untimely death; and

WHEREAS, Dr. King used his gift of oration to awaken America to the struggles of disenfranchised communities, particularly African Americans, through nonviolent means; and

WHEREAS, Dr. Martin Luther King, Jr. encouraged others through his dedication to achieving equality. Dr. King once said, "Life's most persistent and urgent question is: What are you doing for others?"; and

WHEREAS, Dr. King's unwavering support for the principles of racial justice and social equality helped transform America; and

WHEREAS, Dr. King's steadfast pursuit of fairness encouraged others, as exemplified in his famous "Letter from Birmingham Jail," in which he said, "Injustice anywhere is a threat to justice everywhere."; and

WHEREAS, Dr. King believed that a person's worth should be measured not by his or her color, culture, or class but rather by his or her commitment to making life better for all through service rendered to each other;

NOW, THEREFORE, BE IT RESOLVED, That the 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 condemning racism in all its forms and advancing a more perfect union where all people experience fair treatment under our laws.

Senators Saldaña, Becker, Walsh, Kuderer, O'Ban, Darneille, Fortunato, Randall and 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. 8660.

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

MOTION

On motion of Senator Liias and without objection, the names of all senators were added as co-sponsors to Senate Resolution No. 8660.

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION
8659

By Senator Liias

WHEREAS, The Senate adopted permanent rules for the 2019-2021 biennium under Senate Resolution 8601, as amended by Senate Resolution 8657; and

WHEREAS, The notice requirements set forth in Senate Rule 35 have been satisfied;

NOW, THEREFORE, BE IT RESOLVED, That Rule 49 is amended as follows:

"Rule 49. All bills reported by a committee or subcommittee to the senate shall then be referred to the committee on rules for second reading without action on the report unless otherwise ordered by the senate. (See also Senate Rules 63 and 64.) A bill may not be referred to the committee on rules for second reading unless a standing committee or subcommittee has held a public hearing on the bill."

Senators Liias and Short spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8659.

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 17, 2020

SB 6408 Prime Sponsor, Senator Wilson, L.: Concerning agency responsibilities to regulated businesses and professions. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

Referred to Committee on Financial Institutions, Economic Development & Trade.

January 17, 2020

SB 6464 Prime Sponsor, Senator Wilson, L.: Concerning state building code council membership. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Assistant

Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Hawkins and Takko.

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

Referred to Committee on Local Government.

January 17, 2020

SGA 9289 FRED JARRETT, appointed on April 15, 2019, for the term ending December 31, 2023, as Member of the Public Disclosure Commission. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

MOTION

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

SUPPLEMENTAL REPORTS OF STANDING
COMMITTEES

Pursuant to Senate Rule 45(13) and without objection, notice was received from the Committee on Health & Long Term Care that the following measures had been re-referred to the Subcommittee on Behavioral Health:

SENATE BILL NO. 6447;
SENATE BILL NO. 6458;
and SENATE BILL NO. 6469.

MOTION

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

INTRODUCTION AND FIRST READING

SB 6492 by Senators Pedersen, Rolfes, and Wilson, C.

AN ACT Relating to addressing workforce education investment funding through business and occupation tax reform; amending RCW 28C.18.200, 43.79.195, 82.04.290, and 82.04.4451; reenacting and amending RCW 82.32.045; creating new sections; repealing RCW 82.04.299; providing effective dates; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6493 by Senators Liias, King, Hobbs, Billig, Saldaña, and Wilson, C.

AN ACT Relating to the Cooper Jones active transportation safety council; adding a new section to chapter 43.59 RCW; and repealing RCW 43.59.155.

Referred to Committee on Transportation.

SB 6494 by Senators Rolfes, Van De Wege, Warnick and McCoy

AN ACT Relating to trust water rights; amending RCW 90.42.005, 90.42.010, 90.42.030, 90.42.040, 90.42.080,

EIGHTH DAY, JANUARY 20, 2020

2020 REGULAR SESSION

90.42.100, 90.42.110, 90.42.130, 90.42.150, 90.42.160, and 90.80.055; reenacting and amending RCW 90.42.020; adding new sections to chapter 90.42 RCW; and repealing RCW 90.42.120.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6495 by Senator Walsh

AN ACT Relating to essential needs and housing support eligibility; and amending RCW 74.04.805.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6496 by Senators Lovelett, Hasegawa, Kuderer, Nguyen, Saldaña, Stanford, and Wilson, C.

AN ACT Relating to the electrification of homes and buildings; adding a new section to chapter 35.92 RCW; adding a new section to chapter 54.16 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SB 6497 by Senators Hobbs and Saldaña

AN ACT Relating to transportation funding and appropriations; amending RCW 46.68.370, 47.12.340, 82.32.385, and 46.68.320; amending 2019 c 416 ss 103, 105, 108, 109, 201-205, 207-223, 301, 304-311, 401-406, 408, 521-523, 528, 529, 702, and 718 (uncodified); and adding new sections to 2019 c 416 (uncodified); making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

Referred to Committee on Transportation.

SB 6498 by Senators Braun, Takko, Rolfes, Wagoner, Becker and Mullet

AN ACT Relating to valuing the carbon in forest riparian easements; amending RCW 76.13.120; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6499 by Senators Schoesler, Hunt, Kuderer, Becker, Conway and Hasegawa

AN ACT Relating to protecting the confidentiality of retirement system files and records relating to health information; amending RCW 42.56.360; and adding a new section to chapter 41.04 RCW.

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

SB 6500 by Senators Padden, Darneille, Nguyen, and Wilson, C.

AN ACT Relating to foster care licensing following a foster-family home licensee's move to a new location; amending RCW 74.15.100; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6501 by Senator Padden

AN ACT Relating to the unlawful disposition of human remains; amending RCW 68.50.130; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6502 by Senators Fortunato and Zeiger

AN ACT Relating to persistent property offenders; and adding a new section to chapter 9.94A RCW.

Referred to Committee on Law & Justice.

SB 6503 by Senators Nguyen, Lovelett, Wilson, C., Das and Pedersen

AN ACT Relating to odd-numbered year elections; amending RCW 29A.04.321, 29A.04.330, 29A.04.420, 29A.92.110, 36.105.090, 35.17.020, 35.18.270, 35.23.051, 35.27.090, 35.30.080, 35.61.050, 35A.02.050, 36.32.030, 36.32.0554, 36.69.070, 36.105.050, 36.105.060, 36.69.090, 36.93.051, 36.93.061, and 36.93.063; reenacting and amending RCW 29A.92.050; creating a new section; and providing an effective date.

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

SB 6504 by Senators Darneille, Conway, Lovelett, Hasegawa, Nguyen, and Wilson, C.

AN ACT Relating to clarifying that facilities that are operated by a private entity in which persons are detained in custody under process of law pending the outcome of legal proceedings are not essential public facilities under the growth management act; amending RCW 36.70A.200; creating a new section; and declaring an emergency.

Referred to Committee on Local Government.

SB 6505 by Senators Mullet, Wellman, Hunt, Braun, Holy, Pedersen, Wagoner, Rolfes, Salomon, Padden, McCoy, Liias, Wilson, C., Hawkins, Rivers, Conway, Nguyen and Van De Wege

AN ACT Relating to expanding access to dual credit opportunities by eliminating direct costs to students and families; amending RCW 28A.600.290 and 28A.600.290; reenacting and amending RCW 28A.600.310; adding new sections to chapter 28A.600 RCW; creating new sections; providing an effective date; and providing expiration dates.

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

SB 6506 by Senators Hunt, Holy, Mullet, and Wilson, C.

AN ACT Relating to creating a retail liquor license for restaurants operated in connection with a course offered by postsecondary institutions; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Labor & Commerce.

SB 6507 by Senators Nguyen, Darneille, and Wilson C.

AN ACT Relating to improving legislative reporting requirements for certain department of children, youth, and families programs; and amending RCW 43.216.015, 13.06.050, 43.216.089, 43.216.075, 43.216.020, and 13.40.212.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6508 by Senator Rivers

AN ACT Relating to low-proof alcoholic beverages; reenacting and amending RCW 66.04.010; and adding a new section to chapter 66.28 RCW.

Referred to Committee on Labor & Commerce.

SB 6509 by Senators Rivers, Van De Wege, Short, Ericksen, Hasegawa, and Wilson, L.

AN ACT Relating to increasing the abundance of salmonids in Washington waters; amending RCW 77.95.320; and creating new sections.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6510 by Senators Cleveland, Rivers, Wagoner, Wellman, Honeyford and King

AN ACT Relating to local effort assistance for small school districts and small remote and necessary plants; and amending RCW 28A.500.015.

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

SB 6511 by Senators Carlyle, Wilson, C., Hunt, Hasegawa, Nguyen and Zeiger

AN ACT Relating to equitable educational outcomes for foster care and homeless children and youth from prekindergarten to postsecondary education; amending RCW 74.13.1051; adding a new section to chapter 28A.300 RCW; creating a new section; and repealing RCW 28A.300.8001.

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

SB 6512 by Senators Rolfes, Kuderer, Sheldon, Lovelett, Hasegawa, and Wilson, C.

AN ACT Relating to the provision of housing for school district employees; amending RCW 28A.335.240, 28A.335.250, 28A.335.130, and 82.29A.130; creating a new section; and repealing RCW 28A.335.270.

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

SB 6513 by Senators Frockt, Hunt, Nguyen, Billig, Hasegawa, Kuderer, and Wilson, C.

AN ACT Relating to restricting the use of deepfake audio or visual media in campaigns for elective office; amending RCW 42.17A.005 and 42.17A.340; and adding a new section to chapter 42.17A RCW.

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

SB 6514 by Senators Schoesler and Hunt

AN ACT Relating to irrigation district elections; amending RCW 84.56.020, 87.03.031, 87.03.032, 87.03.033, 87.03.075, and 87.03.085; adding new sections to chapter 87.03 RCW; and prescribing penalties.

Referred to Committee on Local Government.

SB 6515 by Senators Van De Wege, Randall, Mullet, Takko, Lovelett, Lias, Conway, Hasegawa, and Wilson, C.

AN ACT Relating to the medicaid payment methodology for skilled nursing facilities; amending RCW 74.46.561; creating a new section; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 6516 by Senators Nguyen, Hasegawa, Stanford and Saldaña

AN ACT Relating to reducing the workweek to thirty-two hours unless the employee receives compensation for employment in excess of these hours at a rate not less than one and one-half times their regular rate; and amending RCW 49.46.130.

Referred to Committee on Labor & Commerce.

SB 6517 by Senators Nguyen, and Wilson, C.

AN ACT Relating to adult entertainers; adding a new chapter to Title 49 RCW; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SB 6518 by Senators Rolfes, Van De Wege, and Wilson, C.

AN ACT Relating to reducing prenatal exposure and harm to children by limiting environmental exposure to certain pesticides; adding a new section to chapter 17.21 RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6519 by Senators McCoy, Conway, Lias, Lovelett, Salomon, Stanford, Wilson, C. and Zeiger

AN ACT Relating to protection of archaeological and cultural sites by state and local governments and all recipients of state appropriations; adding a new section to chapter 27.53 RCW; and creating a new section.

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

SB 6520 by Senators Schoesler, Becker, Mullet and Ericksen

AN ACT Relating to establishing a tax credit for contributions to student scholarship organizations; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; adding a new section to chapter 83.100 RCW; adding a new chapter to Title 28A RCW; and creating a new section.

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

SB 6521 by Senators Wellman, Hunt, Mullet, and Wilson, C.

AN ACT Relating to creating an innovative learning pilot program; adding a new section to chapter 28A.300 RCW; and declaring an emergency.

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

SB 6522 by Senators Wellman, Darneille, Nguyen, Hunt, Das, Hasegawa, Kuderer, Pedersen, and Wilson, C.

EIGHTH DAY, JANUARY 20, 2020

2020 REGULAR SESSION

AN ACT Relating to the courts open to all act; adding new sections to chapter 2.28 RCW; adding a new section to chapter 3.02 RCW; adding a new section to chapter 35.20 RCW; and creating new sections.

Referred to Committee on Law & Justice.

MOTION

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

MOTION

At 1:29 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Tuesday, January 21, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

NINTH DAY

NOON SESSION

Senate Chamber, Olympia
Tuesday, January 21, 2020

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 20, 2020

SB 6034 Prime Sponsor, Senator Keiser: Extending the time allowed to file a complaint with the human rights commission for a claim related to pregnancy discrimination. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member; Braun and Schoesler.

Referred to Committee on Rules for second reading.

January 20, 2020

SB 6038 Prime Sponsor, Senator Rivers: Concerning acupuncture and Eastern medicine. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Rules for second reading.

January 20, 2020

SB 6062 Prime Sponsor, Senator Becker: Concerning direct primary care oversight. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6062 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Rules for second reading.

January 20, 2020

SB 6143 Prime Sponsor, Senator Cleveland: Concerning the podiatric medical board. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Rules for second reading.

January 20, 2020

SB 6169 Prime Sponsor, Senator Keiser: Training on the prevention of harassment, discrimination, and retaliation. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6169 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member; Braun and Schoesler.

Referred to Committee on Ways & Means.

January 20, 2020

SB 6229 Prime Sponsor, Senator Kuderer: Streamlining reporting for recipients of housing-related state funding by removing Washington state quality award program requirements. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Darneille and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Assistant Ranking Member; Zeiger, Ranking Member and Warnick.

Referred to Committee on Rules for second reading.

January 20, 2020

SB 6232 Prime Sponsor, Senator Kuderer: Concerning the property tax exemption for nonprofit organizations providing rental housing or mobile home park spaces to qualifying households. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Ways & Means.

MOTION

NINTH DAY, JANUARY 21, 2020

2020 REGULAR SESSION

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

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9370.

MOTION

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

January 15, 2020

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.

STEVEN ASHBY, appointed January 15, 2020, for the term ending June 30, 2021, as Member of the Workforce Education Investment Accountability & Oversight Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9371.

January 15, 2020

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.

PAUL T. FRANCIS, appointed January 15, 2020, for the term ending June 30, 2021, as Member of the Workforce Education Investment Accountability & Oversight Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9372.

January 15, 2020

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.

GUADALUPE GAMBOA, appointed January 15, 2020, for the term ending June 17, 2024, as Member of the Human Rights Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9373.

January 15, 2020

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.

TONY F. GOLIK, reappointed January 15, 2020, for the term ending August 2, 2022, as Member of the Sentencing Guidelines Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9374.

January 15, 2020

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.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

January 13, 2020

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.

LAURA WATSON, appointed January 8, 2020, for the term ending at the governor's pleasure, as a Director of the Department of Ecology - Agency Head.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9367.

January 14, 2020

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.

JERRIE L. ALLARD, reappointed January 20, 2020, for the term ending January 19, 2024, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9368.

January 14, 2020

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.

TERI L. FERREIRA, reappointed January 20, 2020, for the term ending January 19, 2024, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health & Long Term Care as Senate Gubernatorial Appointment No. 9369.

January 14, 2020

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.

PATRICK L. GALLAHER, appointed January 20, 2020, for the term ending January 19, 2024, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

WILLIAM LYNE, appointed January 15, 2020, for the term ending June 30, 2021, as Member of the Workforce Education Investment Accountability & Oversight Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9375.

January 15, 2020

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.

SUSAN MULLANEY, appointed January 15, 2020, for the term ending June 30, 2021, as Member of the Workforce Education Investment Accountability & Oversight Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9376.

January 15, 2020

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 (THERESA) A. STANDISH-, appointed January 15, 2020, for the term ending June 30, 2021, as Member of the Workforce Education Investment Accountability & Oversight Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9377.

January 15, 2020

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.

JAN YOSHIWARA, appointed January 15, 2020, for the term ending June 30, 2021, as Member of the Workforce Education Investment Accountability & Oversight Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9378.

January 15, 2020

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.

DEREK M. YOUNG, appointed January 15, 2020, for the term ending August 2, 2021, as Member of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice as Senate Gubernatorial Appointment No. 9379.

January 16, 2020

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.

KATHRYN GARDOW, reappointed January 16, 2020, for the term ending December 31, 2022, as Member of the Recreation and Conservation Funding Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9380.

January 16, 2020

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.

HENRY HIX, appointed January 16, 2020, for the term ending December 31, 2022, as Member of the Recreation and Conservation Funding Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9381.

January 16, 2020

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.

RICH NAFZIGER, appointed January 16, 2020, for the term ending June 30, 2023, as Member of the Housing Finance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Financial Institutions, Economic Development & Trade as Senate Gubernatorial Appointment No. 9382.

January 17, 2020

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.

MICHAEL MEOTTI, appointed January 17, 2020, for the term ending June 30, 2022, as Member of the Workforce Education Investment Accountability & Oversight Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9383.

MOTION

On motion of Senator Liias, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MOTION

NINTH DAY, JANUARY 21, 2020

2020 REGULAR SESSION

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

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

MESSAGE FROM THE HOUSE

January 20, 2020

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1422,
SECOND SUBSTITUTE HOUSE BILL NO. 1783,
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6523 by Senators Takko, Rivers, Walsh and Lovelett

AN ACT Relating to the local government issuance of a certificate of birth resulting in stillbirth; amending RCW 70.58A.530; creating a new section; and providing an effective date.

Referred to Committee on Local Government.

SB 6524 by Senators Stanford and Schoesler

AN ACT Relating to modifying Washington state horse racing commission provisions; and amending RCW 67.16.100.

Referred to Committee on Labor & Commerce.

SB 6525 by Senators Carlyle, Darneille, and Wilson, C.

AN ACT Relating to modifying six-month trial return home in child welfare dependency proceedings; and amending RCW 13.34.138 and 13.34.145.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6526 by Senators Cleveland, Hasegawa, Keiser, Van De Wege, and Wilson, C.

AN ACT Relating to the reuse and donation of unexpired prescription drugs; and amending RCW 18.64.005 and 69.70.050.

Referred to Committee on Health & Long Term Care.

SB 6527 by Senators Frockt, Padden, Rivers, Van De Wege, Darneille, Dhingra, and Wilson, C.

AN ACT Relating to collecting information regarding police use of deadly force; and adding new sections to chapter 36.28A RCW.

Referred to Committee on Law & Justice.

SB 6528 by Senators Lovelett, McCoy, Takko, Das, Hasegawa, Rolfes, Van De Wege, and Wilson, C.

AN ACT Relating to the prevention of derelict vessels; amending RCW 79.100.160, 79.100.150, 79.100.170, 88.02.380, and 79.10.130; creating new sections; making appropriations; and providing an expiration date.

SB 6529 by Senators Nguyen, Hunt, McCoy, Das, and Wilson, C.

AN ACT Relating to urban and community forestry; amending RCW 76.15.005, 76.15.007, 76.15.010, 76.15.020, 76.15.030, 76.15.050, 76.15.060, 76.15.090, 35.92.390, 35A.80.040, 80.28.300, 89.08.520, 79.105.150, 80.28.300, 43.155.120, 70.146.070, 79A.15.040, 36.01.260, 54.16.400, 89.08.590, 79.105.630, and 79A.15.150; adding new sections to chapter 76.15 RCW; creating a new section; and repealing RCW 35.105.010, 35.105.020, 35.105.030, 35.105.040, 35.105.050, 35.105.060, 35.105.070, 35.105.080, 35.105.090, 35.105.100, 35.105.110, 35.105.120, 76.15.070, and 76.15.080.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6530 by Senators Dhingra, and Wilson, C.

AN ACT Relating to postconviction review by the clemency and pardons board; amending RCW 9.94A.728 and 9.94A.880; reenacting and amending RCW 9.94A.885; adding a new section to chapter 9.94A RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 6531 by Senators Braun, Takko and Schoesler

AN ACT Relating to the performance of personal services by a craft distillery, distiller, spirits certificate of approval holder, or distributor; and amending RCW 66.28.310.

Referred to Committee on Labor & Commerce.

SB 6532 by Senators Dhingra, and Wilson, C.

AN ACT Relating to the field of behavior analysis; amending RCW 18.380.010, 18.380.020, 18.380.030, 18.380.050, 18.380.060, 18.380.070, 18.380.100, and 18.380.110; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 6533 by Senators Lovelett, Nguyen and Van De Wege

AN ACT Relating to school district levies; and amending RCW 84.52.0531.

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

SB 6534 by Senator Cleveland

AN ACT Relating to an ambulance transport quality assurance fee; reenacting and amending RCW 43.84.092; adding a new chapter to Title 74 RCW; prescribing penalties; providing an expiration date; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 6535 by Senators Conway, Hasegawa and Nguyen

AN ACT Relating to prohibiting funds available to port districts from being allocated for the purchase of fully automated marine container cargo handling equipment; and adding a new section to chapter 53.08 RCW.

Referred to Committee on Transportation.

SB 6536 by Senators Das, Wilson, C. and Kuderer
AN ACT Relating to creating more housing options in traditionally single-family zones; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Local Government.

SB 6537 by Senators McCoy, Hasegawa, Dhingra, and Wilson, C.

AN ACT Relating to the membership of the criminal justice training commission; and amending RCW 43.101.030.

Referred to Committee on Law & Justice.

SB 6538 by Senators Wilson, L., Becker, Braun, Takko and Warnick

AN ACT Relating to the collection of survey data pursuant to nurse licensure; and amending RCW 18.79.160.

Referred to Committee on Health & Long Term Care.

SB 6539 by Senators Becker, Hunt, Rivers, Short, Padden, O'Ban, Wilson, L., Schoesler and King

AN ACT Relating to protecting health care information in the possession of legislators in the conduct of their official duties; and amending RCW 42.56.360.

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

ESHB 1023 by House Committee on Health Care & Wellness (originally sponsored by Macri, Harris, Cody, MacEwen, Pollet, DeBolt, Springer, Kretz, Appleton, Caldier, Slatter, Vick, Stanford, Fitzgibbon, Riccelli, Robinson, Kloba, Valdez, Ryu, Tharinger, Jinkins, Wylie, Goodman, Bergquist, Doglio, Chambers, Senn, Ortiz-Self, Stonier, Frame, Ormsby and Reeves)

AN ACT Relating to allowing certain adult family homes to increase capacity to eight beds; amending RCW 70.128.010 and 70.128.060; and adding a new section to chapter 70.128 RCW.

Referred to Committee on Health & Long Term Care.

2EHB 1056 by Representatives Mosbrucker, Orwall, Sells, Appleton, Jinkins, Macri, Wylie, Bergquist, Doglio, Stanford and Reeves

AN ACT Relating to creating a task force to identify the role of the workplace in helping curb domestic violence; creating new sections; and providing expiration dates.

Referred to Committee on Labor & Commerce.

ESHB 1264 by House Committee on Appropriations (originally sponsored by Ortiz-Self, Orwall, Bergquist, Santos, Dolan, Lovick, Peterson, Reeves, Sells, Stanford, Appleton, Callan, Wylie and Pollet)

AN ACT Relating to secondary traumatic stress in public school staff; adding a new section to chapter 28A.415 RCW; and creating a new section.

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

E2SHB 1272 by House Committee on Appropriations (originally sponsored by Thai, Harris, Slatter, Ryu, Riccelli, Kilduff, Caldier, Paul, Peterson, Stonier, Shewmake, Appleton, Orwall, Wylie, Gregerson and Pollet)

AN ACT Relating to promoting student health and success through adequate school lunch durations; amending RCW 28A.235.150; adding new sections to chapter 28A.235 RCW; creating a new section; and providing an expiration date.

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

2ESHB 1565 by House Committee on Health Care & Wellness (originally sponsored by Robinson, Tharinger, Klippert and Lovick)

AN ACT Relating to certain providers sharing background checks; amending RCW 43.43.830; and reenacting and amending RCW 43.43.832.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SHB 1826 by House Committee on Civil Rights & Judiciary (originally sponsored by Leavitt, Kilduff and Morgan)

AN ACT Relating to the disclosure of certain information during the discharge planning process; amending RCW 71.05.365; adding a new section to chapter 71.05 RCW; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

ESHB 2099 by House Committee on Civil Rights & Judiciary (originally sponsored by Irwin and Jinkins)

AN ACT Relating to the use of video technology under the involuntary treatment act; amending RCW 71.05.150, 71.05.150, 71.05.153, 71.05.153, 71.05.235, and 71.05.310; reenacting and amending RCW 71.05.020; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

MOTION

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

MOTION

At 12:03 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, January 22, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

TENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, January 22, 2020

The Senate was called to order at 10:03 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Tessa Alford and Miss Ria Sinha, presented the Colors. Page Miss Jordan Codington led the Senate in the Pledge of Allegiance. The prayer was offered by Assistant Pastor Chris Rule, Orting Community Baptist Church.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 21, 2020

SB 5059 Prime Sponsor, Senator Hasegawa: Allowing the legislative gift center to sell products produced in Washington by craft distillers and microbreweries. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Second Substitute Senate Bill No. 5059 be substituted therefor, and the second substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Schoesler; Walsh and Wellman.

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

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

Referred to Committee on Rules for second reading.

January 21, 2020

SB 6046 Prime Sponsor, Senator Takko: Concerning special purpose district commissioner compensation. Reported by Committee on Local Government

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

Referred to Committee on Rules for second reading.

January 21, 2020

SB 6052 Prime Sponsor, Senator Mullet: Concerning life insurance products or services that are intended to incent behavioral changes that improve the health and reduce the risk of

death of the insured. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 6052 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das and Hobbs.

Referred to Committee on Rules for second reading.

January 21, 2020

SB 6078 Prime Sponsor, Senator Mullet: Clarifying reimbursement for certain clean-up or removal actions by fire protection jurisdictions. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Chair; Wilson, L., Ranking Member; Braun; Das and Hobbs.

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

Referred to Committee on Rules for second reading.

January 21, 2020

SB 6131 Prime Sponsor, Senator Mullet: Repealing the debenture company laws from the securities act of Washington. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das and Hobbs.

Referred to Committee on Rules for second reading.

January 21, 2020

SB 6237 Prime Sponsor, Senator Kuderer: Authorizing and encouraging cities to notify the department of children, youth, and families of conditions at family day-care provider facilities that could cause harm to a child's health, welfare, or safety. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 6237 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair and Lovelett.

MINORITY recommendation: Do not pass. Signed by Senators Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

January 21, 2020

SB 6305 Prime Sponsor, Senator Liias: Concerning library districts. Reported by Committee on Local Government

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

Referred to Committee on Rules for second reading.

January 21, 2020

SB 6326 Prime Sponsor, Senator Warnick: Concerning municipal conflicts of interest. Reported by Committee on Local Government

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

Referred to Committee on Rules for second reading.

January 21, 2020

SB 6475 Prime Sponsor, Senator Hasegawa: Assisting homeless individuals with obtaining identification. Reported by Committee on Transportation

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

January 21, 2020

SB 6484 Prime Sponsor, Senator Frockt: Allowing counties to seek voter approval for a property tax levy to fund community and technical college districts. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Higher Education & Workforce Development.

January 21, 2020

SGA 9298 LUCERA M. COX, appointed on July 1, 2019, for the term ending June 30, 2020, as Member of the The Evergreen State College Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Rules for second reading.

January 21, 2020

SGA 9299 ALEX R. HARRINGTON, appointed on July 1, 2019, for the term ending June 30, 2020, as Member of the Central Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Rules for second reading.

January 21, 2020

SGA 9301 MIA A. HYDE, appointed on July 1, 2019, for the term ending June 30, 2020, as Member of the Eastern Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Rules for second reading.

January 21, 2020

SGA 9307 JOHANNA MAE B. PANTIG, appointed on July 1, 2019, for the term ending June 30, 2020, as Member of the Washington State University Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Rules for second reading.

January 21, 2020

SGA 9308 DANIELA H. SUAREZ, appointed on July 1, 2019, for the term ending June 30, 2020, as Member of the University of Washington Board of Regents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Rules for second reading.

January 21, 2020

SGA 9311 PAYTON O. SWINFORD, appointed on July 3, 2019, for the term ending June 30, 2020, as Member of the Washington Student Achievement Council. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Rules for second reading.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

TENTH DAY, JANUARY 22, 2020

2020 REGULAR SESSION

SB 6540 by Senators Wilson, C., Wellman, Dhingra, Hasegawa, Kuderer and Saldaña

AN ACT Relating to working connections child care payment authorizations; amending RCW 28B.50.248; reenacting and amending RCW 43.216.135; adding a new section to chapter 43.216 RCW; and creating a new section.

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

SB 6541 by Senators Wagoner, Nguyen, Schoesler, Takko, Sheldon, McCoy, Das, Becker, Conway, Salomon, and Wilson, L.

AN ACT Relating to establishing recreational target shooting areas on public lands; amending RCW 4.24.210; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6542 by Senators Liias, Holy, Randall, Stanford, Carlyle, Dhingra, Hasegawa, Saldaña, and Wilson, C.

AN ACT Relating to adopting a uniform statewide automatic admissions policy at the four-year institutions of higher education; adding new sections to chapter 28B.77 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Higher Education & Workforce Development.

SB 6543 by Senators Short, Hunt, and Wilson, L.

AN ACT Relating to penalties against agencies which subsequently discover and produce additional responsive records after the close of an initial public records production; and amending RCW 42.56.520.

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

SB 6544 by Senators Zeiger, Warnick, Takko, Fortunato and Becker

AN ACT Relating to encouraging the success of agriculture on agricultural land; and amending RCW 36.70A.020, 36.70A.177, and 36.70A.190.

Referred to Committee on Local Government.

SB 6545 by Senators Zeiger, Takko, Warnick, Fortunato, Becker and Hasegawa

AN ACT Relating to the voluntary stewardship program; and amending RCW 36.70A.710 and 36.70A.740.

Referred to Committee on Local Government.

SB 6546 by Senators Zeiger, Fortunato and Warnick

AN ACT Relating to incentivizing shared housing; and amending RCW 43.185.050.

Referred to Committee on Housing Stability & Affordability.

SB 6547 by Senators Wellman, Wilson, C., Billig and Saldaña

AN ACT Relating to completing the transfer of the early support for infants and toddlers program from the office of

the superintendent of public instruction to the department of children, youth, and families; amending RCW 28A.155.065, 28A.150.390, 43.216.020, 43.216.576, 28A.225.225, 28A.225.270, and 43.216.015; adding a new section to chapter 43.216 RCW; creating a new section; recodifying RCW 28A.155.065; providing an effective date; and providing an expiration date.

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

SB 6548 by Senators Braun, Becker, King, Schoesler, Wagoner and Warnick

AN ACT Relating to allowing employee choice and flexibility in the executive, administrative, and professional exception to the minimum wage act; amending RCW 49.46.010; adding a new section to chapter 49.46 RCW; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 6549 by Senators O'Ban and Becker

AN ACT Relating to the psychology interjurisdictional compact; adding a new chapter to Title 18 RCW; and providing a contingent effective date.

Referred to Committee on Health & Long Term Care.

SB 6550 by Senators Mullet, Braun, Hobbs, Rivers, Takko, Padden, Becker, Holy, and Wilson, L.

AN ACT Relating to local effort assistance for charter schools; and amending RCW 28A.500.015.

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

SB 6551 by Senators Stanford, Saldaña, Darneille, Dhingra, Frockt, Hasegawa, and Wilson, C.

AN ACT Relating to integrating international medical graduates into Washington's health care delivery system; amending RCW 18.71.051 and 18.71.095; adding new sections to chapter 18.71 RCW; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 6552 by Senators Stanford and Hasegawa

AN ACT Relating to eliminating the three-day waiting period for receiving industrial insurance compensation; and amending RCW 51.32.090.

Referred to Committee on Labor & Commerce.

SB 6553 by Senators Frockt, Dhingra, Keiser, Liias, Van De Wege, Cleveland, Darneille, Das, Hasegawa, Kuderer, Lovelett, Saldaña, Salomon, and Wilson, C.

AN ACT Relating to facilitating access to appropriate mental health treatment for victims of gun violence; adding a new section to chapter 43.31 RCW; and creating new sections.

Referred to Committee on Law & Justice.

SB 6554 by Senators Padden, Warnick, Becker, Hasegawa, and Wilson, L.

AN ACT Relating to exempting dietary supplements from sales and use tax; amending RCW 82.08.0293 and 82.12.0293; creating new sections; and repealing RCW 82.08.925 and 82.12.925.

Referred to Committee on Health & Long Term Care.

SB 6555 by Senators Muzzall, Rivers, Holy, Sheldon, Padden, Wagoner, Becker, O'Ban, Warnick, and Wilson, L.

AN ACT Relating to impaired driving; amending RCW 46.61.502, 46.61.5055, and 46.61.504; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6556 by Senators Cleveland, Darneille, and Wilson, C.

AN ACT Relating to expanding reporting options for mandated reporters of child abuse and neglect; adding a new section to chapter 26.44 RCW; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6557 by Senators Saldaña, Nguyen, Hasegawa, Kuderer, and Wilson, C.

AN ACT Relating to adding individual tax identification number filers to the working families tax credit; amending RCW 82.08.0206; creating a new section; and providing an effective date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6558 by Senators Nguyen, Darneille, Dhingra, Hasegawa, Saldaña, and Wilson, C.

AN ACT Relating to contracting with private correctional facilities for the transfer or placement of offenders; amending RCW 72.68.040, 72.68.010, and 72.68.001; reenacting and amending RCW 72.09.050; adding a new section to chapter 72.68 RCW; creating a new section; and repealing RCW 72.68.012.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6559 by Senators Conway, Holy, Randall, and Wilson, C.

AN ACT Relating to increasing the maximum Washington college grant award at independent institutions of higher education; and amending RCW 28B.92.030.

Referred to Committee on Higher Education & Workforce Development.

SB 6560 by Senators Wilson, C., Hunt, Salomon, Saldaña, Liias, Randall, Nguyen, Van De Wege, Das, Hasegawa and Kuderer

AN ACT Relating to studying the feasibility of postsecondary student housing within retirement facilities; adding a new section to chapter 28B.77 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

SB 6561 by Senators Liias, Saldaña, Das, Nguyen, Hasegawa, Stanford, Dhingra, Hunt, Kuderer, Wellman, and Wilson, C.

AN ACT Relating to higher education funding options for dreamers; adding a new chapter to Title 28B RCW; and providing an effective date.

Referred to Committee on Higher Education & Workforce Development.

SB 6562 by Senators Liias, Frockt, Randall, Keiser, Sheldon, Zeiger, Van De Wege, Carlyle, Hunt, Kuderer, and Wilson, C.

AN ACT Relating to creating Seattle NHL hockey special license plates; reenacting and amending RCW 46.17.220, 46.18.200, and 46.68.420; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

SB 6563 by Senators Conway, Zeiger, Hasegawa, and Wilson, C.

AN ACT Relating to creating statutory authorization for school-based health centers; adding a new section to chapter 28A.335 RCW; and creating new sections.

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

SB 6564 by Senators Braun, Becker and Zeiger

AN ACT Relating to providing incentives to employers to hire certain hard-to-place job seekers; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6565 by Senators Randall, Nguyen, Lovelett, Hasegawa, Das, Saldaña, and Wilson, C.

AN ACT Relating to establishing permissible methods of parking a motorcycle; and amending RCW 46.61.575.

Referred to Committee on Transportation.

SB 6566 by Senators Randall, Rolfes, and Wilson, C.

AN ACT Relating to amending the schedule for updates to the comprehensive plan of Kitsap county that are required under the growth management act to match the update schedules of other central Puget Sound counties; and amending RCW 36.70A.130.

Referred to Committee on Local Government.

SB 6567 by Senators Frockt, Conway, Short, Pedersen, Cleveland, Kuderer, Randall, Hunt, Saldaña, Takko, Wellman, and Wilson, C.

AN ACT Relating to recognizing the eighteenth day of December as blood donor day; reenacting and amending RCW 1.16.050; and creating a new section.

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

TENTH DAY, JANUARY 22, 2020

2020 REGULAR SESSION

SJM 8019 by Senators Liias, Wagoner, Hobbs, Becker, Saldaña, Wellman, Wilson, C. and Zeiger
Requesting Congress to address volcano early warning and monitoring.

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

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

MOTION

At 10:16 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

MOTION

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

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

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

MOTION

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

The Senate was called to order at 11:21 a.m. by President Habib.

MOTION

MOTION

Senator Nguyen moved adoption of the following resolution:

On motion of Senator Liias and without objection, Senate Rule No. 56 was suspended for the day and senators allowed to add their name to newly introduced measures until 4:00 p.m., owing to a delay in the distribution of the day's Introduction Report.

SENATE RESOLUTION
8661

By Senators Nguyen, Wagoner, Kuderer, Padden, Das, Wellman, Randall, Billig, Cleveland, Saldaña, and Brown

EDITOR'S NOTE: Senate Rule No. 56 provides senators the ability to add their names to any measure until 2:00 p.m. on the day of introduction of the measure.

WHEREAS, On this 25th day of January in 2020, the people of Washington join the celebration of the Lunar New Year, which is observed in many Asian cultures around the world; and

MOTION

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

WHEREAS, Asian Americans are an integral component of the diverse fabric of Washington state and are among the fastest growing populations in Washington; and

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

WHEREAS, The Lunar New Year is an important cultural event when Asian Americans celebrate their customs and traditions with traditional foods, costumes, and spiritual practices; and

MOTION

Senator Warnick moved that Jonathan Lane, Senate Gubernatorial Appointment No. 9046, be confirmed as a member of the Big Bend Community College Board of Trustees.
Senator Warnick spoke in favor of the motion.

WHEREAS, Festivals marking the Lunar New Year take place each year in communities throughout our state, providing opportunities for all to take part in this cultural experience; and

APPOINTMENT OF JONATHAN LANE

WHEREAS, The current makeup of the Washington State Legislature is the most diverse in our state's history, and therefore a better reflection of the people it serves; and

The President declared the question before the Senate to be the confirmation of Jonathan Lane, Senate Gubernatorial Appointment No. 9046, as a member of the Big Bend Community College Board of Trustees.

WHEREAS, This is a time to reflect on our successes and challenges from the past, to learn from those experiences, and create new goals and objectives for the coming year; and

WHEREAS, We commend this Lunar New Year tradition of familial reunion, and hope to reflect these practices as a unified legislative body; and

WHEREAS, In observation of this Lunar New Year, and according to the zodiac calendar observed in many Asian cultures, this year is designated as the Year of the Rat, an animal sign characterized by optimism and energetic qualities that we hope our chamber will strive to emulate;

NOW, THEREFORE, BE IT RESOLVED, That the Senate commemorate the many contributions of Washington state's Asian American people and communities through recognition of the Lunar New Year.

The Secretary called the roll on the confirmation of Jonathan Lane, Senate Gubernatorial Appointment No. 9046, 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 Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Senators Nguyen, Wagoner 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. 8661.

Jonathan Lane, Senate gubernatorial appointment No. 9046, having received the constitutional majority was declared confirmed as a member of the Big Bend Community College Board of Trustees.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5395, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Wilson, C., Randall, Keiser, Saldaña, Takko, Mullet, Wellman, Das, Nguyen, Billig, Pedersen, Rolfes, Darneille, Dhingra, Hasegawa, Hunt and Kuderer)

Concerning comprehensive sexual health education.

The bill was read on Third Reading.

Senators Wilson, C., Wellman, Darneille, Dhingra and Rolfes spoke in favor of passage of the bill.

Senators Hawkins, Short, Padden, Fortunato, Ericksen and Wagoner 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. 5395.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5395 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

ENGROSSED SUBSTITUTE SENATE BILL NO. 5395, having received the 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. 5389, by Senate Committee on Ways & Means (originally sponsored by Becker, Cleveland, Bailey, Wilson, L., Brown, Walsh and Warnick)

Establishing a telehealth training and treatment program to assist youth.

The bill was read on Third Reading.

MOTION

On motion of Senator Becker, the rules were suspended and Engrossed Substitute Senate Bill No. 5389 was returned to second reading for the purposes of amendment.

MOTION

Senator Becker moved that the following striking floor amendment no. 904 by Senator Becker be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. **Sec. 23.** The legislature recognizes that unaddressed mental illness is a growing problem in Washington state. Early identification, intervention, and prevention are critical to a student's success in school and life. Other states have demonstrated that students' grades increase and truancy decreases by addressing mental health among students in schools. Future mental health care and housing costs will be reduced by addressing mental health issues early.

NEW SECTION. **Sec. 24.** A new section is added to chapter 28B.20 RCW to read as follows:

(1) The University of Washington, in collaboration with project ECHO (extension for community healthcare outcomes), shall design a training curriculum and training delivery system to train middle, junior high, and high school staff to identify students who are at risk for substance abuse, violence, or youth suicide.

(2) The training curriculum in subsection (1) of this section must:

(a) Be developed in consultation with mental health providers;

(b) Align with national best practices; and

(c) Be designed to assist any school staff in identifying students who:

(i) May be struggling with mental health issues;

(ii) Have had thoughts of suicide or harming others; and

(iii) Have abused, are abusing, or are at risk of abusing alcohol or drugs, including opioids.

(3) The training delivery system in subsection (1) of this section must utilize live teleconference or store-and-forward technology to deliver the trainings to school staff.

(4) Project ECHO shall coordinate with medical schools, hospitals, clinics, and independent providers to develop a directory of psychiatrists licensed to practice in Washington state who have access to telemedicine technology and are able to provide psychiatric teleconsultations to students who are determined to be at risk for substance abuse or committing violence to themselves or others. Project ECHO must update the directory periodically and make the directory available to all middle, junior high, and high schools in the state.

(5) For purposes of this section, "project echo" means the University of Washington school of medicine extension for community healthcare outcomes program.

NEW SECTION. **Sec. 25.** A new section is added to chapter 28B.20 RCW to read as follows:

(1) The University of Washington, in collaboration with project ECHO (extension for community healthcare outcomes), shall seek grants, gifts, and donations to support:

(a) The development of the training curriculum, training delivery system, and directory of psychiatrists required by section 2 of this act; and

(b) The reimbursement for health care services provided by psychiatrists for the provision of psychiatric teleconsultations to students who do not have health insurance coverage.

(2) The University of Washington shall develop:

(a) A system to receive reimbursement requests from, and to distribute reimbursements to, psychiatrists who provide health care services under this section; and

(b) Methodology for determining the amount of a reimbursement paid to a psychiatrist.

(3) For purposes of this section, "project ECHO" means the University of Washington school of medicine extension for community healthcare outcomes program.

TENTH DAY, JANUARY 22, 2020

2020 REGULAR SESSION

NEW SECTION. Sec. 26. A new section is added to chapter 28A.210 RCW to read as follows:

(1) If a certificated or classified employee trained under section 7 of this act, or a school counselor, school psychologist, or school social worker, identifies a student who may be at risk for substance abuse, violence, or youth suicide, a school counselor, school psychologist, school social worker, or school nurse must screen the student to determine if the student is at risk for substance abuse, violence, or youth suicide.

(2) If a school counselor, school psychologist, school social worker, or school nurse determines that a student is at risk for substance abuse, violence, or youth suicide, the student's school district must, subject to receiving consent under subsection (4) of this section, schedule a psychiatry teleconsultation for the student within thirty days of the determination, in accordance with the following:

(a) The school district must utilize the directory developed by project ECHO under section 2 of this act to enlist a psychiatrist to provide the student with two psychiatry teleconsultations;

(b) The school district must provide an unoccupied room and the technology necessary for the student to connect with the remote psychiatrist for the teleconsultations; and

(c) The school district must allow the student to participate in the two teleconsultations during normal school hours.

(3) If, following the initial psychiatry teleconsultation as described in subsection (2) of this section, a psychiatrist recommends a second psychiatry teleconsultation then the student's school district must, subject to receiving consent under subsection (4) of this section, schedule a second psychiatry teleconsultation for the student within thirty days of the recommendation, in accordance with subsection (2) of this section.

(4) The school district may not schedule a psychiatry teleconsultation for a student without first receiving authorization from the student, or if the student is a minor under the age of thirteen, written authorization from a parent or person who may consent on behalf of the minor under RCW 7.70.065.

(5) Following a second psychiatric teleconsultation, the school district must work with the psychiatrist to refer the student to any appropriate medical, mental health, or behavioral health services.

(6) Psychiatrists who provide teleconference services in accordance with subsections (2) and (3) of this section may seek reimbursement for the health care services provided from the health plan in which a student is enrolled, including apple health for kids. For students with no health coverage, a psychiatrist may seek reimbursement from the state for any uncompensated health care services provided to the students.

(7) For purposes of this section, "project ECHO" means the University of Washington school of medicine extension for community healthcare outcomes program.

Sec. 27. RCW 28A.410.226 and 2013 c 197 s 2 are each amended to read as follows:

(1) As provided under subsections (2) and (3) of this section, individuals certified by the professional educator standards board as a school nurse, school social worker, school psychologist, or school counselor must complete a training program on identifying and referring students who are at risk for substance abuse, violence, and youth suicide ((screening and referral)), including utilizing teleconsultation, as a condition of certification. The training program must be at least three hours in length. The professional educator standards board must adopt standards for the minimum content of the training in consultation with the office of the superintendent of public instruction and the department of health. In developing the standards, the board must consider training programs listed on the best practices registry of

the American foundation for suicide prevention and the suicide prevention resource center.

(2) This section applies to the following certificates if the certificate is first issued or is renewed on or after July 1, ~~((2015))~~ 2020:

(a) Continuing certificates for school nurses;

(b) Continuing certificates for school social workers;

(c) Continuing and professional certificates for school psychologists; and

(d) Continuing and professional certificates for school counselors.

(3) A school counselor who holds or submits a school counseling certificate from the national board for professional teaching standards or a school psychologist who holds or submits a school psychologist certificate from the national association of school psychologists in lieu of a professional certificate must complete the training program under subsection (1) of this section by July 1, ~~((2015))~~ 2020, or within the five-year period before the certificate is first submitted to the professional educator standards board, whichever is later, and at least once every five years thereafter in order to be considered certified by the professional educator standards board.

(4) The professional educator standards board shall ~~((consider the training program under subsection (1) of this section as approved continuing education under RCW 28A.415.020 and shall))~~ count the training program under subsection (1) of this section toward meeting continuing education requirements for certification as a school nurse, school social worker, school psychologist, or school counselor.

Sec. 28. RCW 28A.410.035 and 2013 c 197 s 3 and 2013 c 10 s 2 are each reenacted and amended to read as follows:

(1) To receive initial certification as a teacher in this state after August 31, 1991, an applicant shall have successfully completed a course on issues of abuse. The content of the course shall discuss the identification of physical abuse, emotional abuse, sexual abuse, and substance abuse; commercial sexual abuse of a minor, as defined in RCW 9.68A.100; sexual exploitation of a minor, as defined in RCW 9.68A.040; information on the impact of abuse on the behavior and learning abilities of students; discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are the victims of abuse; and methods for teaching students about abuse of all types and their prevention.

(2) The professional educator standards board shall incorporate into the content required for the course under this section, knowledge and skill standards pertaining to 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. The course must also include the training curriculum created under section 2 of this act. To receive initial certification after August 31, ~~((2014))~~ 2020, an applicant must have successfully completed a course that includes the content of this subsection. The board shall consult with the office of the superintendent of public instruction and the department of health in developing the standards.

NEW SECTION. Sec. 29. A new section is added to chapter 28A.400 RCW to read as follows:

(1) Beginning in the 2021-22 school year, school districts shall require all certificated and classified employees at each school to receive training based on the curriculum developed under section 2 of this act.

(2) The training required under this section may be incorporated within existing training programs and related resources.

NEW SECTION. Sec. 30. This act does not create any civil liability on the part of the state or any state agency, officer, employee, agent, political subdivision, or school district.

NEW SECTION. Sec. 31. 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 2 of the title, after "youth;" strike the remainder of the title and insert "amending RCW 28A.410.226; reenacting and amending RCW 28A.410.035; adding new sections to chapter 28B.20 RCW; adding a new section to chapter 28A.210 RCW; adding a new section to chapter 28A.400 RCW; creating new sections; and declaring an emergency."

MOTION

Senator Becker moved that the following floor amendment no. 906 by Senator Becker to the striking amendment be adopted:

On page 2, line 3, after "psychiatrists" insert "and psychologists"

On page 2, line 4, after "provide" strike "psychiatric"

On page 2, line 19, after "psychiatrists" insert "and psychologists"

On page 2, line 22, after "psychiatrists" insert "and psychologists"

On page 2, line 22, after "of" strike "psychiatric"

On page 2, line 26, after "psychiatrists" insert "and psychologists"

On page 2, line 29, after "psychiatrist" insert "or psychologist"

On page 3, line 8, after "a" strike "psychiatry"

On page 3, line 12, after "psychiatrist" insert "or psychologist"

On page 3, line 13, after "two" strike "psychiatry"

On page 3, line 16, after "psychiatrist" insert "or psychologist"

On page 3, line 19, after "initial" strike "psychiatry"

On page 3, at the beginning of line 21, insert "or psychologist"

On page 3, line 21, after "second" strike "psychiatry"

On page 3, line 23, after "second" strike "psychiatry"

On page 3, line 26, after "a" strike "psychiatry"

On page 3, line 31, after "second" strike "psychiatry"

On page 3, line 32, after "psychiatrist" insert "or psychologist"

On page 3, line 34, after "Psychiatrists" insert "or psychologists"

On page 3, line 38, after "psychiatrist" insert "or psychologist"

Senators Becker and Cleveland 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 floor amendment no. 906 by Senator Becker on page 2, line 3 to the striking amendment.

The motion by Senator Becker carried and floor amendment no. 906 as amended was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 904 by Senator Becker as amended to Engrossed Substitute Senate Bill No. 5389.

The motion by Senator Becker carried and striking floor amendment no. 904 as amended was adopted by voice vote.

MOTION

On motion of Senator Becker, the rules were suspended, Second Engrossed Substitute Senate Bill No. 5389 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Wellman 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. 5389.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5389 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5389, having received the 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. 5167, by Senate Committee on Financial Institutions, Economic Development & Trade (originally sponsored by Hasegawa, Saldaña, Darneille, Frockt, Keiser, Nguyen and Mullet)

Addressing the linked deposit program.

The bill was read on Third Reading.

MOTION

On motion of Senator Hasegawa, the rules were suspended and Substitute Senate Bill No. 5167 was returned to second reading for the purposes of amendment.

MOTION

Senator Hasegawa moved that the following striking floor amendment no. 915 by Senator Hasegawa be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 32.** RCW 43.86A.060 and 2009 c 385 s 3 and 2009 c 384 s 1 are each reenacted and amended to read as follows:

(1) The state treasurer shall establish a linked deposit program for investment of deposits in qualified public depositories. As a condition of participating in the program, qualified public depositories must make qualifying loans as provided in this section. The state treasurer may purchase a certificate of deposit that is equal to the amount of the qualifying loan made by the qualified public depository or may purchase a certificate of deposit that is equal to the aggregate amount of two or more qualifying loans made by one or more qualified public depositories.

(2) Qualifying loans made under this section are those:

(a) Having terms that do not exceed ten years;

TENTH DAY, JANUARY 22, 2020

2020 REGULAR SESSION

(b) Where an individual loan does not exceed one million dollars;

(c)(i) That are made to a minority or women's business enterprise that has received state certification under chapter 39.19 RCW;

(ii) That are made to a veteran-owned business that has received state certification under RCW 43.60A.190; or

(iii) That are made to a community development financial institution that is: (A) Certified by the United States department of the treasury pursuant to 12 U.S.C. Sec. 4701 et seq.; and (B) using that loan to make qualifying loans under (c)(i) of this subsection;

(d) Where the interest rate on the loan to the minority or women's business enterprise or veteran-owned business does not exceed an interest rate that is two hundred basis points below the interest rate the qualified public depository would charge for a loan for a similar purpose and a similar term, except that, if the preference given by the state treasurer to the qualified public depository under subsection (3) of this section is less than two hundred basis points, the qualified public depository may reduce the preference given on the loan by an amount that corresponds to the reduction in preference below two hundred basis points given to the qualified public depository; and

(e) Where the points or fees charged at loan closing do not exceed one percent of the loan amount.

(3) In setting interest rates of time certificate of deposits, the state treasurer shall offer rates so that a two hundred basis point preference will be given to the qualified public depository, except that the treasurer may lower the amount of the preference to ensure that the effective interest rate on the deposit is not less than zero percent.

(4) Upon notification by the state treasurer that a minority or women's business enterprise is no longer certified under chapter 39.19 RCW or that a veteran-owned business is no longer certified under RCW 43.60A.190, the qualified public depository shall reduce the amount of qualifying loans by the outstanding balance of the loan made under this section to the minority or women's business enterprise or the veteran-owned business, as applicable.

(5) A line of credit issued under the linked deposit program that has a zero balance for twelve or more months must be removed from the program.

(6) The office of minority and women's business enterprises has the authority to adopt rules to prioritize loans that:

(a) Ensure that when making a qualified loan under the linked deposit program, businesses that have never received a loan under the linked deposit program are given first priority;

(b) Limit the total principal loan amount that any one business receives in qualified loans under the linked deposit program over the lifetime of the businesses;

(c) Limit the total principal loan amount that an owner of one or more businesses receives in qualified loans under the linked deposit program during the owner's lifetime;

(d) Limit the total amount of any one qualified loan made under the linked deposit program; ~~(and)~~

(e) Ensure that loans made by community development financial institutions are qualifying loans under subsection (2)(c)(i) of this section; and

(f) Ensure that when making a qualified loan under the linked deposit program priority is given to loans that:

(i) Create jobs in underserved communities that have inadequate access to capital; and

(ii) Are for applicants that do not currently have loans with other small business lending agencies."

On page 1, line 1 of the title, after "program;" strike the remainder of the title and insert "and reenacting and amending RCW 43.86A.060"

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

MOTION

On motion of Senator Rivers, Senators Becker, Ericksen and O'Ban were excused.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 915 by Senator Hasegawa to Substitute Senate Bill No. 5167.

The motion by Senator Hasegawa carried and striking floor amendment no. 915 was adopted by voice vote.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Engrossed Substitute Senate Bill No. 5167 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hasegawa and Wilson, L. 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. 5167.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5167 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Becker, Ericksen and O'Ban

ENGROSSED SUBSTITUTE SENATE BILL NO. 5167, having received the 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. 5792, by Senators Salomon, Wellman, Walsh and Honeyford

Making statutory requirements and policies for cultural access programs the same in all counties of the state.

The bill was read on Third Reading.

Senators Salomon and Short 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. 5792.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5792 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 1; Absent, 0; Excused, 3.

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

Voting nay: Senator Hasegawa

Excused: Senators Becker, Ericksen and O'Ban

SENATE BILL NO. 5792, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5549, by Senate Committee on Ways & Means (originally sponsored by Liias, King, Hunt and Braun)

Modernizing resident distillery marketing and sales restrictions.

The bill was read on Third Reading.

Senator Liias spoke in favor of passage of the bill.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced a 5th grade class of Leland P. Brown Elementary School of Olympia, including Andy Gorrell, son of Ms. Jeannie Gorrell, Senate Counsel, and Toby Cushing, son of Ms. Kim Cushing, Staff Counsel, Senate Committee Services, who were seated in the gallery.

Senator King spoke in favor of passage of the bill.

Senator Stanford 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. 5549.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5549 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 6; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Muzzall, Nguyen, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Darneille, Hasegawa, McCoy, Padden, Stanford and Van De Wege

Excused: Senators Becker, Ericksen and O'Ban

ENGROSSED SECOND SUBSTITUTE 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.

PERSONAL PRIVILEGE

Senator King: "Thank you Mr. President. My mother, Verna King, is having a birthday today, one hundred and two. Happy Birthday Mom."

The Senate rose in recognition of the 102nd birthday of Mrs. Verna King.

MOTION

At 12:25 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Thursday, January 23, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

ELEVENTH DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, January 23, 2020

The Senate was called to order at 12:03 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 22, 2020

SB 5033 Prime Sponsor, Senator Carlyle: Concerning employment after public service in state government. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5033 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Assistant Ranking Member and Hawkins.

Referred to Committee on Rules for second reading.

January 21, 2020

SB 5144 Prime Sponsor, Senator Dhingra: Implementing child support pass-through payments. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5144 be substituted therefor, and the second substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

January 21, 2020

SSB 5164 Prime Sponsor, Committee on Ways & Means: Providing public assistance to certain victims of human trafficking. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5164 be substituted therefor, and the second substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

January 21, 2020

SB 5488 Prime Sponsor, Committee on Human Services, Reentry & Rehabilitation: Concerning the sentencing of persons under the age of twenty-one years at the time of the commission of a crime. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5488 be substituted therefor, and the second substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban.

Referred to Committee on Rules for second reading.

January 21, 2020

SB 5640 Prime Sponsor, Senator Holy: Concerning youth courts. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5640 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 22, 2020

SB 6039 Prime Sponsor, Senator Keiser: Enacting the living donor act. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6039 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall and Van De Wege.

Referred to Committee on Rules for second reading.

January 22, 2020

SB 6045 Prime Sponsor, Senator Takko: Concerning vulnerable users of a public way. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 22, 2020

SB 6087 Prime Sponsor, Senator Keiser: Imposing cost-sharing requirements for coverage of insulin products. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6087 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Keiser; Muzzall and Van De Wege.

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

Referred to Committee on Ways & Means.

January 22, 2020

SB 6102 Prime Sponsor, Senator Wellman: Adjusting stop signal requirements for school buses. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 22, 2020

SB 6113 Prime Sponsor, Senator Keiser: Creating a central insulin purchasing program. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban, Ranking Member; Becker and Muzzall.

Referred to Committee on Ways & Means.

January 22, 2020

SB 6115 Prime Sponsor, Senator Takko: Concerning off-road vehicle registrations. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko and Wilson, C.

Referred to Committee on Rules for second reading.

January 22, 2020

SB 6123 Prime Sponsor, Senator Hunt: Allowing state employee leave for organ donation. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

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

Referred to Committee on Ways & Means.

January 22, 2020

SB 6134 Prime Sponsor, Senator Hunt: Concerning state reimbursement of election costs. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Assistant Ranking Member; Zeiger, Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

January 22, 2020

SB 6158 Prime Sponsor, Senator Dhingra: Concerning model sexual assault protocols for hospitals and clinics. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6158 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall and Van De Wege.

Referred to Committee on Rules for second reading.

January 22, 2020

SB 6397 Prime Sponsor, Senator Frockt: Concerning nonparticipating providers. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall and Van De Wege.

Referred to Committee on Ways & Means.

January 22, 2020

SB 6514 Prime Sponsor, Senator Schoesler: Addressing irrigation district elections. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

Referred to Committee on Local Government.

MOTION

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

MOTION

ELEVENTH DAY, JANUARY 23, 2020

2020 REGULAR SESSION

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

Referred to Committee on Local Government.

MESSAGE FROM THE HOUSE

January 22, 2020

MR. PRESIDENT:

The House has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1304,
HOUSE BILL NO. 1702,
HOUSE BILL NO. 1755,
HOUSE BILL NO. 1829,
ENGROSSED HOUSE BILL NO. 1948,
HOUSE BILL NO. 2051,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

SB 6573 by Senators Van De Wege and Braun

AN ACT Relating to eliminating the reduction in state basic education funding that occurs in counties with federal and state forestlands; amending RCW 28A.150.250 and 28A.520.020; and creating a new section.

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

SB 6574 by Senators Takko and Short

AN ACT Relating to clarifying the respective administrative powers, duties, and responsibilities of the growth management hearings board and the environmental land use and hearings office; and amending RCW 36.70A.250, 36.70A.252, 36.70A.260, 36.70A.270, and 43.21B.005.

Referred to Committee on Local Government.

MOTION

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

SB 6575 by Senators Darneille, Nguyen, Wilson, C., Cleveland and Hasegawa

AN ACT Relating to creating the economic assistance reinvestment account; and adding a new section to chapter 74.08A RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

INTRODUCTION AND FIRST READING

SB 6568 by Senators Mullet and Braun

AN ACT Relating to the application of gambling loss recovery laws to certain online games of chance; amending RCW 4.24.070; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 6576 by Senators Darneille, Wilson, C., Nguyen, Hasegawa and Cleveland

AN ACT Relating to creating prison to postsecondary education pathways; amending RCW 72.09.270, 72.09.460, 72.09.465, 72.68.010, and 28B.15.067; amending 2019 c 397 s 1 (uncodified); adding a new section to chapter 72.68 RCW; adding a new section to chapter 72.09 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6569 by Senators Lovelett, Nguyen and Das

AN ACT Relating to local options for tabulating votes in an election; amending RCW 29A.60.221, 29A.52.112, 29A.52.210, 29A.52.220, 29A.24.010, 36.32.040, 36.32.050, 35A.12.040, and 28A.343.320; reenacting and amending RCW 29A.36.170; adding a new section to chapter 29A.52 RCW; adding a new section to chapter 29A.04 RCW; adding a new section to chapter 52.14 RCW; adding a new section to chapter 53.12 RCW; creating a new section; repealing RCW 29A.04.127; and providing an expiration date.

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

SB 6577 by Senators Liias, Nguyen and Das

AN ACT Relating to creating a statewide child savings account program; adding a new section to chapter 28B.77 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

SB 6570 by Senators King, Saldaña and Wagoner

AN ACT Relating to law enforcement officer mental health and wellness; creating new sections; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 6578 by Senators Honeyford, Van De Wege, King and Takko

AN ACT Relating to designating pumped storage projects located in a county bordering the Columbia river utilizing statutorily authorized water rights to be projects of statewide significance; amending RCW 43.157.010; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6571 by Senators Hunt, Darneille and Zeiger

AN ACT Relating to expanding powers granted to state historical societies; and amending RCW 27.34.070.

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

SB 6572 by Senators Fortunato, Ericksen and Honeyford

AN ACT Relating to uniform due process of land use code violations; amending RCW 36.70.670, 35A.63.120, 19.27.050, and 35.63.080; and creating a new section.

SB 6579 by Senator Keiser

AN ACT Relating to clarifying the authority of the liquor and cannabis board to regulate marijuana vapor products; amending RCW 69.50.342; reenacting and amending RCW

69.50.101; adding a new section to chapter 69.50 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SB 6580 by Senator Mullet

AN ACT Relating to organ transport vehicles; amending RCW 68.64.010, 46.37.190, 46.37.380, 46.37.670, 46.61.210, 46.61.165, 47.52.025, 18.73.140, 18.73.081, and 18.73.030; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Transportation.

SB 6581 by Senators Lovelett and Nguyen

AN ACT Relating to funding youth health care access and affordability, housing affordability, and wages for child care providers through a more progressive estate tax rate structure; amending RCW 83.100.040 and 83.100.230; reenacting and amending RCW 83.100.020; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6582 by Senators Hobbs, Stanford, Muzzall, Salomon, McCoy, Wagoner and Liias

AN ACT Relating to the number of fire protection district commissioners; and amending RCW 52.14.015.

Referred to Committee on Local Government.

SB 6583 by Senators Zeiger and Padden

AN ACT Relating to moving the manufacture of fentanyl on the drug seriousness level chart from II to III; and amending RCW 9.94A.518.

Referred to Committee on Law & Justice.

SB 6584 by Senators Zeiger, Pedersen, O'Ban and Padden

AN ACT Relating to the unlawful purchase of a firearm; reenacting and amending RCW 9.94A.515; adding a new section to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6585 by Senators Zeiger, Walsh, Darneille and O'Ban

AN ACT Relating to encouraging the use of medication-assisted treatment within jails; and reenacting and amending RCW 71.24.580.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6586 by Senators Saldaña, Hobbs and Liias

AN ACT Relating to implementing a per mile charge on electric and hybrid vehicles; adding a new section to chapter 46.17 RCW; creating a new section; repealing RCW 46.17.324; and providing effective dates.

Referred to Committee on Transportation.

SB 6587 by Senator Zeiger

AN ACT Relating to exempting statewide fairs from state property taxes; amending RCW 84.36.480; adding a new section to chapter 84.55 RCW; and creating new sections.

Referred to Committee on Ways & Means.

SB 6588 by Senators Darneille, Nguyen, Wilson, C. and Cleveland

AN ACT Relating to revising the name, term, membership, and duties of the children's mental health work group; and amending RCW 74.09.4951.

Referred to Committee on Health & Long Term Care.

SB 6589 by Senator Stanford

AN ACT Relating to establishing a Washington state cannabis commission; amending RCW 42.56.380 and 43.23.033; and adding a new chapter to Title 15 RCW.

Referred to Committee on Labor & Commerce.

SB 6590 by Senators Wilson, C., Randall, Kuderer and McCoy

AN ACT Relating to the rights of clients of the developmental disabilities administration of the department of social and health services; and adding a new chapter to Title 71A RCW.

Referred to Committee on Health & Long Term Care.

SB 6591 by Senator Dhingra

AN ACT Relating to establishing a work group to address mental health advance directives; adding a new section to chapter 71.32 RCW; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 6592 by Senators Holy, Hunt, Takko and Keiser

AN ACT Relating to tourism authorities; amending RCW 35.101.010, 35.101.050, and 35.101.130; and adding new sections to chapter 43.131 RCW.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 6593 by Senator Cleveland

AN ACT Relating to creating a new health profession for doulas; reenacting and amending RCW 18.130.040; adding a new chapter to Title 18 RCW; and providing an effective date.

Referred to Committee on Health & Long Term Care.

SB 6594 by Senators Conway, Keiser, Saldaña and Randall

AN ACT Relating to health system transparency; amending RCW 43.70.052, 70.01.040, 70.41.470, and 70.170.060; adding a new section to chapter 70.230 RCW; and providing an effective date.

Referred to Committee on Health & Long Term Care.

SB 6595 by Senators Lovelett and Das

AN ACT Relating to making condominium and homeowner association dues allocated based on the assessed value of each condominium or home as a percentage of the total value of all units or lots in the association; amending RCW 64.34.224 and 64.90.235; and adding a new section to chapter 64.38 RCW.

Referred to Committee on Law & Justice.

ELEVENTH DAY, JANUARY 23, 2020

2020 REGULAR SESSION

ESHB 1422 by House Committee on Civil Rights & Judiciary (originally sponsored by Valdez, Harris, Tharinger, Jinkins, Macri, Kilduff, Van Werven, Doglio, Morgan, Fey and Ormsby)

AN ACT Relating to the protection of vulnerable adults; amending RCW 74.34.020, 74.34.063, 74.34.095, 74.34.110, 74.34.300, 74.39A.056, 13.50.010, and 68.50.105; adding a new section to chapter 74.34 RCW; and providing an effective date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

2SHB 1783 by House Committee on Appropriations (originally sponsored by Gregerson, Morgan, Ryu, Lovick, Valdez, Ramos, Thai, Reeves, Slatter, Lekanoff, Peterson, Macri, Entenman, Pettigrew, Bergquist, Callan, Stonier, Orwall, Hudgins, Riccelli, Mead, Senn, Santos, Chapman, Walen, Kloba, Doglio, Tarleton, Pollet, Dolan, Davis, Jinkins, Wylie, Shewmake, Pellicciotti, Fey, Stanford, Sells, Morris, Kilduff, Leavitt, Appleton, Tharinger, Ormsby, Frame and Robinson)

AN ACT Relating to creating the Washington state office of equity; adding a new chapter to Title 43 RCW; creating a new section; providing an effective date; and declaring an emergency.

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

MOTIONS

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

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

MOTION

Senator Brown moved adoption of the following resolution:

SENATE RESOLUTION
8662

By Senator Brown

WHEREAS, The United Nations designated 2019 as the International Year of the Periodic Table of Chemical Elements on December 20, 2017; and in doing so recognized the development of the periodic table of elements as one of the most significant achievements in science and a uniting scientific concept, with broad applications and implications in astronomy, chemistry, physics, biology, and other natural sciences; and

WHEREAS, The International Year of the Periodic Table will coincide with the 150th anniversary of the development of the periodic table of elements by Dmitry Mendeleev in 1869; and

WHEREAS, The periodic table of elements is a unique tool enabling scientists to predict the appearance and properties of matter on Earth and in the Universe; and

WHEREAS, Washington acknowledges that the International Year of the Periodic Table of Chemical Elements will give an opportunity to show how these chemical elements are central to

improving the human condition and addressing the world's great challenges related to water, food, health, security, and energy; and

WHEREAS, It is critical that the brightest young minds continue to be attracted to chemistry and other branches of science in order to ensure the next generation of scientists, engineers, and innovators; and

WHEREAS, The American Chemical Society is committed to improving people's lives through the transforming power of chemistry and advancing the broader chemistry enterprise and chemistry practitioners for the benefits of Earth and its people; and

WHEREAS, The American Chemical Society encourages its members in Washington to work with their colleagues to organize outreach activities to instill public appreciation of the periodic table of elements and its contributions to the betterment of life on this planet;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate celebrate the International Year of the Periodic Table of Chemical Elements and observe the 150th anniversary of its development.

Senators Brown and Saldaña spoke in favor of adoption of the resolution.

The President announced that the reading of speeches by senators is not allowed under the rules of the senate.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8662.

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

REMARKS BY THE PRESIDENT

President Habib: "I don't think that many of us know that, can name very many items on the periodic table, but I believe that probably ninety percent of those in the state who can live in Senator Brown's district where there are so many brilliant engineers and scientists and researchers. So, wonderful resolution and recognition."

MOTION

At 12:09 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Friday, January 24, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

TWELFTH DAY**MORNING SESSION**Senate Chamber, Olympia
Friday, January 24, 2020

The Senate was called to order at 10:02 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present with the exceptions of Senators McCoy and Walsh.

The Sergeant at Arms Color Guard consisting of Pages Miss Betty Roberts and Mr. Waylon Menzia, presented the Colors. Page Miss Lily Hubbard led the Senate in the Pledge of Allegiance.

The prayer was offered by Senator Saldaña, 37th Legislative District, Seattle which consisted of a brief reading from "*Pedagogy of the Oppressed*" authored by Paulo Freire and a performance of the Senator's favorite hymn, "*Here I am Lord.*"

MOTIONS

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

Pursuant to Rule 46, on motion of Senator Liias, and without objection, the Committee on Health & Long Term Care was granted special leave to meet during the day's floor session.

MOTION

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

REPORTS OF STANDING COMMITTEES

January 23, 2020

SB 5149 Prime Sponsor, Senator Wilson, L.: Monitoring of domestic violence perpetrators. Reported by Committee on Law & Justice

MAJORITY recommendation: That Second Substitute Senate Bill No. 5149 be substituted therefor, and the second substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 5299 Prime Sponsor, Senator Padden: Concerning impaired driving. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5299 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Ways & Means.

January 23, 2020

SB 5676 Prime Sponsor, Senator Takko: Authorizing cities planning under the growth management act to impose certain real

estate excise taxes by councilmanic action. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5676 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Lovelett.

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

Referred to Committee on Rules for second reading.

January 23, 2020

SB 5680 Prime Sponsor, Senator Liias: Concerning the creation of parks benefit districts. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5680 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Lovelett.

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

Referred to Committee on Ways & Means.

January 23, 2020

SB 6027 Prime Sponsor, Senator Pedersen: Concerning floating residences. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6027 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Ways & Means.

January 23, 2020

SB 6035 Prime Sponsor, Senator Keiser: Concerning liquor license employees. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6035 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6071 Prime Sponsor, Senator Van De Wege: Concerning increased deterrence and meaningful enforcement of fish and wildlife violations. Reported by Committee on Agriculture, Water, Natural Resources & Parks

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

MAJORITY recommendation: That Substitute Senate Bill No. 6071 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; McCoy and Rolfes.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford and Short.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6077 Prime Sponsor, Senator Kuderer: Concerning high capacity magazines. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6077 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6090 Prime Sponsor, Senator Warnick: Limiting fire protection service agency liability for the installation of detection devices. Reported by Committee on Local Government

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

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6091 Prime Sponsor, Senator Warnick: Continuing the work of the Washington food policy forum. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6091 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Ways & Means.

January 23, 2020

SB 6119 Prime Sponsor, Senator Conway: Authorizing that money laundering forfeited proceeds and property be used for improvement of gambling-related law enforcement activities. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6126 Prime Sponsor, Senator Hunt: Allowing the local sales and use tax for affordable housing to be imposed by a councilmanic authority. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair and Lovelett.

MINORITY recommendation: Do not pass. Signed by Senators Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6147 Prime Sponsor, Senator Salomon: Concerning the replacement of shoreline armoring. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6147 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; McCoy and Rolfes.

MINORITY recommendation: Do not pass. Signed by Senators Warnick, Ranking Member; Honeyford and Short.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6155 Prime Sponsor, Senator Cleveland: Concerning the rape of a child. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6155 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6162 Prime Sponsor, Senator Dhingra: Concerning victims of nonfatal strangulation. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6162 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Ways & Means.

January 22, 2020

SB 6180 Prime Sponsor, Senator Darneille: Concerning juvenile sex offense registration waivers under the special sexual offender disposition alternative. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6182 Prime Sponsor, Senator Padden: Concerning closed captioning on televisions in places of public accommodation. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6182 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6188 Prime Sponsor, Senator Zeiger: Concerning the consumption of alcohol for certain special events held on agricultural fairgrounds. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Ways & Means.

January 22, 2020

SB 6204 Prime Sponsor, Senator Darneille: Concerning prisoner fatality and near fatality reviews for persons in the custody of the department of corrections. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6204 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

January 23, 2020

SB 6220 Prime Sponsor, Senator Dhingra: Concerning restitution. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6220 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member and Wilson, L.

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

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6224 Prime Sponsor, Senator Lovelett: Concerning collective bargaining for administrative law judges. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6224 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Stanford; Walsh and Wellman.

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

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

Referred to Committee on Ways & Means.

January 23, 2020

SB 6280 Prime Sponsor, Senator Nguyen: Concerning the use of facial recognition services. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 6280 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Das; Hobbs; Liias; McCoy; Nguyen; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Brown; Rivers and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Ericksen, Ranking Member Fortunato, Assistant Ranking Member, Environment.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6288 Prime Sponsor, Senator Dhingra: Creating the Washington office of firearm violence prevention. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6288 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Ways & Means.

January 23, 2020

SB 6294 Prime Sponsor, Senator Salomon: Concerning concealed pistol license training requirements. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member and Wilson, L.

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

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6306 Prime Sponsor, Senator Liias: Creating the Washington soil health initiative. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair;

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Ways & Means.

January 23, 2020

SB 6357 Prime Sponsor, Senator Conway: Increasing the dollar limit of pull-tabs. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6406 Prime Sponsor, Senator Wilson, L.: Concerning firearms. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6406 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6420 Prime Sponsor, Senator Takko: Concerning underground utilities and safety committee. Reported by Committee on Local Government

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

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6489 Prime Sponsor, Senator Saldaña: Concerning possession of vapor, vapor products, tobacco, and tobacco products by persons under the age of twenty-one. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Human Services, Reentry & Rehabilitation.

January 23, 2020

SB 6536 Prime Sponsor, Senator Das: Creating more housing options in traditionally single-family zones. Reported by Committee on Local Government

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Housing Stability & Affordability.

January 24, 2020

SB 6553 Prime Sponsor, Senator Frockt: Facilitating treatment for gun violence victims. Reported by Committee on Law & Justice

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland, Chair O'Ban, Ranking Member.

Referred to Committee on Health & Long Term Care's Subcommittee on Behavioral Health

January 23, 2020

SGA 9291 GEORGE D. HACKNEY, appointed on April 17, 2019, for the term ending June 17, 2020, as Member of the Human Rights Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, and without objection, Senate Rule No. 42 was suspended for the purposes of allowing the Committee on Law & Justice to directly re-refer Senate Bill No. 6553 to the Standing Subcommittee on Behavioral Health and all other measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

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

MESSAGE FROM OTHER STATE OFFICERS

The following reports were submitted to and received by the office of the Secretary of the Senate:

Children, Youth, and Families, Department of - "*Child Welfare Workplace Culture*" in accordance with Substitute Senate Bill No. 5955;

Commerce, Department of - "*Affordable Housing Cost Data*" in accordance with Substitute House Bill No. 1102; "*Rights of Youth and Young Adults in Residential Programs*", in accordance with Engrossed Substitute House Bill No. 1109;

Corrections, Department of - "*Staff Safety, 2019 Report*", pursuant to 72.09.680 RCW;

Enterprise Services, Department of - "*Glyphosate Usage by State Agencies*", in accordance with Engrossed Substitute House Bill No. 1109;

Fish and Wildlife, Department of - "*Wildlife Trafficking -- Implementing Initiative 1401*", pursuant to 77.15.135 RCW;

Health Care Authority - "*Apple Health Nonpharmacologic Pain Treatment Coverage*", in accordance with Substitute Senate Bill No. 5380; "*Behavioral and Physical Health Integration*", in accordance with Engrossed Substitute House Bill No. 1109; "*Compacts of Free Association (COFA) Islander Health Care*", in accordance with Substitute Senate Bill No. 5683;

Health, Department of - “*Diabetes Epidemic & Action Report*”, pursuant to 70.330.020 RCW; “*Safer Home, Suicide Aware Program Overview*”, in accordance with Engrossed Substitute House Bill No. 1109;

Public Instruction, Office of the Superintendent of “*Children’s Regional Behavioral Health Pilot Program*”, pursuant to 28A.630.500 RCW;

Transportation, Department of “*Green Transportation Capital Grant, 2019-2021 Prioritized Project List*”, in accordance with Engrossed Second Substitute House Bill No. 2042; “*Kingsgate Park and Ride Transit Oriented Development Project*”, in accordance with Engrossed Substitute House Bill No. 1160.

MOTION

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

MESSAGE FROM THE HOUSE

January 23, 2020

MR. PRESIDENT:
The House has passed:

SUBSTITUTE HOUSE BILL NO. 1010,
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6596 by Senators Honeyford and Cleveland

AN ACT Relating to school construction assistance program grants for small, rural districts; and adding a new section to chapter 28A.525 RCW.

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

SB 6597 by Senators Sheldon and O’Ban

AN ACT Relating to vehicle combinations that may be operated on public highways; and amending RCW 46.44.030 and 46.44.037.

Referred to Committee on Transportation.

SB 6598 by Senators Fortunato, Padden and Short

AN ACT Relating to transparency in reproductive health; amending RCW 9.02.100; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 6599 by Senator Nguyen

AN ACT Relating to updating food benefit references; amending RCW 26.19.071, 34.05.482, 41.56.465, 43.20B.620, 43.20B.630, 46.16A.140, 46.20.021, 73.08.005, 74.04.205, 74.04.300, 74.04.380, 74.04.500, 74.04.510, 74.04.515, 74.04.520, 74.04.535, 74.04.750, 74.08.046, 74.08.080, 74.08.331, 74.08A.060, 74.08A.120, 74.25A.045, 80.36.470, and 82.32.330; reenacting and amending RCW 10.101.010, and 13.34.030; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6600 by Senators O’Ban, Becker, Rivers, Walsh, Zeiger and Eriksen

AN ACT Relating to requiring state hospitals to undergo the same licensure and inspection by the department of health as private psychiatric hospitals; reenacting and amending RCW 71.12.455; and adding a new section to chapter 71.12 RCW.

Referred to Committee on Health & Long Term Care.

SB 6601 by Senator Rolfes

AN ACT Relating to authorizing the governor to enter into compacts with Indian tribes addressing certain state retail sales tax, certain state use tax, and certain state business and occupation tax revenues, as specified in a memorandum of understanding entered into by the state, Tulalip tribes, and Snohomish county, in January 2020, and including other terms necessary for the department of revenue to administer any such compact; adding new sections to chapter 43.06 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SB 6602 by Senator King

AN ACT Relating to accounting for differences across counties in setting new wage standards; amending RCW 49.46.010; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 6603 by Senators Keiser and Walsh

AN ACT Relating to establishing a retail privilege endorsement to a marijuana producer license; amending RCW 69.50.328, 69.50.345, 69.50.366, and 69.50.369; reenacting and amending RCW 69.50.345; adding new sections to chapter 69.50 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 6604 by Senators Keiser and Hasegawa

AN ACT Relating to allowing additional marijuana retail licenses for social equity purposes; amending RCW 69.50.345 and 69.50.540; reenacting and amending RCW 69.50.345; adding new sections to chapter 69.50 RCW; adding a new section to chapter 43.330 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 6605 by Senators Holy and Pedersen

AN ACT Relating to annual licensure of security guards; and amending RCW 18.170.040 and 18.170.130.

Referred to Committee on Labor & Commerce.

SB 6606 by Senators Liias, Mullet, Hobbs, Dhingra, Kuderer, Conway, Darneille, Keiser, Wilson, C., McCoy and Das

AN ACT Relating to regional transit authorities; amending RCW 82.44.135; reenacting and amending RCW

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

81.104.160 and 82.44.035; creating a new section; repealing RCW 82.44.038 and 81.112.800; repealing 2020 c 1 ss 9, 10, and 13; repealing 2020 c 1 ss 11 and 16 (uncodified); providing a contingent effective date; and declaring an emergency.

Referred to Committee on Transportation.

SB 6607 by Senators Billig, Holy, McCoy, Zeiger, Salomon, King, Hunt and Wellman

AN ACT Relating to permitting students to wear traditional tribal regalia and objects of cultural significance at graduation ceremonies and related events; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28B.10 RCW; and creating new sections.

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

SB 6608 by Senators Ericksen, Wagoner, Rivers and Honeyford
AN ACT Relating to school choice; and adding a new section to chapter 28A.150 RCW.

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

SB 6609 by Senator King

AN ACT Relating to expanding the role of certain pharmacists in the delivery of behavioral health services; amending RCW 71.05.210, 71.05.210, 71.05.215, 71.05.217, 71.05.230, 71.05.290, 71.05.300, 71.05.360, 71.34.355, 71.34.730, and 71.34.770; reenacting and amending RCW 71.05.020, 71.05.660, 71.05.760, 71.34.020, 71.34.720, and 71.34.720; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SB 6610 by Senator Kuderer

AN ACT Relating to advisory votes; amending RCW 29A.32.031, 29A.32.070, 29A.64.090, 29A.72.040, 29A.72.250, and 29A.72.290; creating a new section; repealing RCW 29A.72.283, 29A.72.285, and 43.135.041; and providing an expiration date.

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

E2SHB 1304 by House Committee on Appropriations (originally sponsored by MacEwen, Stonier, Santos, Harris, Steele, Griffey, Reeves, Stokesbary, Sells, Dolan, Eslick, Lekanoff, Bergquist, Jinkins, Leavitt, Thai and Wylie)

AN ACT Relating to career and technical education in alternative learning experience programs; reenacting and amending RCW 28A.700.070; adding a new section to chapter 28A.232 RCW; and creating a new section.

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

HB 1702 by Representatives Van Werven, Leavitt, Kraft, Entenman, Rude, Sutherland, Dye, Gildon, Slatter, Chambers, Graham, Caldier, Eslick, Mosbrucker, Young, Jinkins, Bergquist, Doglio and Pollet

AN ACT Relating to informing students of low-cost course materials for community and technical college courses; and amending RCW 28B.50.789.

Referred to Committee on Higher Education & Workforce Development.

HB 1755 by Representatives Leavitt, Van Werven, Bergquist, Corry, Ybarra, Volz, Pollet, Dent, Lovick, Doglio, Ormsby and Santos

AN ACT Relating to allowing regional universities to offer doctorate level degrees in education; and adding a new section to chapter 28B.35 RCW.

Referred to Committee on Higher Education & Workforce Development.

HB 1829 by Representatives Chapman, Goehner and Reeves

AN ACT Relating to veterans' assistance levies; amending RCW 73.08.080, 84.52.043, 84.52.010, and 84.55.005; and creating a new section.

Referred to Committee on Local Government.

EHB 1948 by Representatives Entenman, Stokesbary,

Sullivan, Senn, Chambers, Ramos, Callan and Graham
AN ACT Relating to supporting warehousing and manufacturing job centers; adding new sections to chapter 82.14 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Ways & Means.

HB 2051 by Representatives Lovick, Chapman, Griffey and Dent

AN ACT Relating to firefighters and law enforcement officers pension and disability boards; amending RCW 41.16.010, 41.16.020, 41.18.015, 41.20.010, and 41.26.030; and reenacting and amending RCW 41.18.010 and 41.26.110.

Referred to Committee on Ways & Means.

MOTION

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

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

MOTION

On motion of Senator Rivers, Senator Walsh was excused.

MOTION

At 10:12 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 10:44 a.m. by President Habib.

MOTION

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

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Muzzall moved that Christon C. Skinner, Senate Gubernatorial Appointment No. 9054, be confirmed as a member of the Skagit Valley College Board of Trustees.

Senator Muzzall spoke in favor of the motion.

APPOINTMENT OF CHRISTON C. SKINNER

The President declared the question before the Senate to be the confirmation of Christon C. Skinner, Senate Gubernatorial Appointment No. 9054, as a member of the Skagit Valley College Board of Trustees.

The Secretary called the roll on the confirmation of Christon C. Skinner, Senate Gubernatorial Appointment No. 9054, as a member of the Skagit Valley College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

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

Absent: Senator McCoy

Excused: Senator Walsh

Christon C. Skinner, Senate Gubernatorial Appointment No. 9054, having received the constitutional majority was declared confirmed as a member of the Skagit Valley College Board of Trustees.

MOTION

On motion of Senator Mullet, Senator McCoy was excused.

REMARKS BY THE PRESIDENT

President Habib: "Ladies and Gentlemen: If I can have your attention for just one moment. I want to bring, I want to mention something that I think many of you are aware of already but I just wanted to take a moment here on the floor to recognize a very sad moment for our Senate family, our greater Senate family. You may have heard that former Senator Ken Jacobsen's wife, Rachel Jacobsen, passed away recently. And you may know her in that regard, for those of who served with Jake, you would have known her in that regard but some of us also got to know her in her capacity as Consul for New Zealand and her participation and work in representation of New Zealand and her leadership of the Consular Association of Washington which she chaired and was a very active member of for a long time and did a superb job representing New Zealand where, for example, establishing a relationship between Christchurch and Seattle. And so I just want to ask us to have just a moment of silence in honor of the passing of Rachel Jacobsen and in honor of our condolences we send to Senator Ken Jacobsen, retired, of the

Senate of the 46th Legislative District. Please join me in a moment of silence."

MOMENT OF SILENCE

The Senate rose in observance of a moment of silence in memory of Ms. Rachel Jacobsen, who passed away January 17, 2020.

THIRD READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5720, by Senate Committee on Ways & Means (originally sponsored by Dhingra, Wagoner and Kuderer)

Concerning the involuntary treatment act.

The bill was read on Third Reading.

MOTION

On motion of Senator Dhingra, the rules were suspended and Second Engrossed Second Substitute Senate Bill No. 5720 was returned to second reading for the purpose of amendment.

MOTION

Senator Dhingra moved that the following striking floor amendment no. 909 by Senator Dhingra be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 33.** RCW 71.05.010 and 2016 sp.s. c 29 s 203 are each amended to read as follows:

(1) The provisions of this chapter apply to persons who are eighteen years of age or older and are intended by the legislature:

(a) To protect the health and safety of persons suffering from ~~((mental disorders and substance use))~~ behavioral health disorders and to protect public safety through use of the *parens patriae* and police powers of the state;

(b) To prevent inappropriate, indefinite commitment of ~~((mentally disordered persons and persons with substance use disorders))~~ persons living with behavioral health disorders and to eliminate legal disabilities that arise from such commitment;

(c) To provide prompt evaluation and timely and appropriate treatment of persons with serious ~~((mental disorders and substance use))~~ behavioral health disorders;

(d) To safeguard individual rights;

(e) To provide continuity of care for persons with serious ~~((mental disorders and substance use))~~ behavioral health disorders;

(f) To encourage the full use of all existing agencies, professional personnel, and public funds to prevent duplication of services and unnecessary expenditures; and

(g) To encourage, whenever appropriate, that services be provided within the community.

(2) When construing the requirements of this chapter the court must focus on the merits of the petition, except where requirements have been totally disregarded, as provided in *In re C.W.*, 147 Wn.2d 259, 281 (2002). A presumption in favor of deciding petitions on their merits furthers both public and private interests because the mental and physical well-being of individuals as well as public safety may be implicated by the decision to release an individual and discontinue his or her treatment.

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

Sec. 34. RCW 71.05.012 and 1997 c 112 s 1 are each amended to read as follows:

It is the intent of the legislature to enhance continuity of care for persons with serious ~~((mental))~~ behavioral health disorders that can be controlled or stabilized in a less restrictive alternative commitment. Within the guidelines stated in *In re LaBelle* 107 Wn. 2d 196 (1986), the legislature intends to encourage appropriate interventions at a point when there is the best opportunity to restore the person to or maintain satisfactory functioning.

For persons with a prior history or pattern of repeated hospitalizations or law enforcement interventions due to decompensation, the consideration of prior ~~((mental))~~ history is particularly relevant in determining whether the person would receive, if released, such care as is essential for his or her health or safety.

Therefore, the legislature finds that for persons who are currently under a commitment order, a prior history of decompensation leading to repeated hospitalizations or law enforcement interventions should be given great weight in determining whether a new less restrictive alternative commitment should be ordered.

Sec. 35. RCW 71.05.020 and 2019 c 446 s 2, 2019 c 444 s 16, and 2019 c 325 s 3001 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) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(3) "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;

(4) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program certified by the department as meeting standards adopted under chapter 71.24 RCW;

(5) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(6) "Authority" means the Washington state health care authority;

(7) "Co-occurring disorder specialist" means an individual possessing an enhancement granted by the department of health under chapter 18.205 RCW that certifies the individual to provide substance use disorder counseling subject to the practice limitations under RCW 18.205.105;

(8) "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;

(9) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

(10) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed or certified by the department, 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;

(11) "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;

(12) "Department" means the department of health;

(13) "Designated crisis responder" means a mental health professional appointed by the county or an entity appointed by the county, to perform the duties specified in this chapter;

(14) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

(15) "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 of the department of social and health services;

(16) "Developmental disability" means that condition defined in RCW 71A.10.020(5);

(17) "Director" means the director of the authority;

(18) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order;

(19) "Drug addiction" means a disease, characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning;

(20) "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 licensed or certified as such by the department. The authority 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 of social and health services 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;

(21) "Gravely disabled" means a condition in which a person, as a result of a ~~((mental))~~ behavioral health disorder ~~((or as a result of the use of alcohol or other psychoactive chemicals))~~: (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))~~ from safe behavior 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;

(22) "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;

(23) "Hearing" means any proceeding conducted in open court (~~For purposes of this chapter, at any hearing the petitioner, the respondent, the witnesses, and the presiding judicial officer may be present and participate either in person or by video, as determined by the court. The term "video" as used herein shall include any functional equivalent. At any hearing conducted by video, the technology used must permit the judicial officer, counsel, all parties, and the witnesses to be able to see, hear, and speak, when authorized, during the hearing; to allow attorneys to use exhibits or other materials during the hearing; and to allow respondent's counsel to be in the same location as the respondent unless otherwise requested by the respondent or the respondent's counsel. Witnesses in a proceeding may also appear in court through other means, including telephonically, pursuant to the requirements of superior court civil rule 43. Notwithstanding the foregoing, the court, upon its own motion or upon a motion for good cause by any party, may require all parties and witnesses to participate in the hearing in person rather than by video. In ruling on any such motion, the court may allow in person or video testimony; and the court may consider, among other things, whether the respondent's alleged mental illness affects the respondent's ability to perceive or participate in the proceeding by video~~) that conforms to the requirements of section 99 of this act;

(24) "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) behavioral health facility~~ (~~a long-term alcoholism or drug treatment facility~~), or in confinement as a result of a criminal conviction;

(25) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

(26) "In need of assisted outpatient behavioral health treatment" means that a person, as a result of a ~~(mental disorder or substance use)~~ behavioral health disorder: (a) Has been committed by a court to detention for involuntary behavioral health treatment during the preceding thirty-six months; (b) is unlikely to voluntarily participate in outpatient treatment without an order for less restrictive alternative treatment, based on a history of nonadherence with treatment or in view of the person's current behavior; (c) is likely to benefit from less restrictive alternative treatment; and (d) 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;

(27) "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;

~~(28) ("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;~~

~~(29))~~ "Intoxicated person" means a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol or other psychoactive chemicals;

~~((30))~~ (29) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

~~((31))~~ (30) "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) behavioral health~~ ~~(and substance use disorder)~~ service providers under RCW 71.05.130;

~~((32))~~ (31) "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;

~~((33))~~ (32) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington;

~~((34))~~ (33) "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, substantial pain, or which places another person or persons in reasonable fear of ~~(sustaining such)~~ harm to themselves or others; 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;

~~((35))~~ (34) "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 crisis responder;

~~((36))~~ (35) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

~~((37))~~ (36) "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;

~~((38))~~ (37) ~~(Mental) Behavioral health service provider"~~ means a public or private agency that provides mental health, substance use disorder, or co-occurring disorder services to persons with ~~(mental disorders or substance use)~~ behavioral health 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 behavioral health programs as defined in RCW 71.24.025, facilities conducting competency evaluations and restoration under chapter 10.77 RCW, approved substance use disorder treatment programs as defined in this section, secure withdrawal management and stabilization facilities as defined in this section, and correctional facilities operated by state and local governments;

~~((39))~~ (38) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

~~((40))~~ (39) "Physician assistant" means a person licensed as a physician assistant under chapter 18.57A or 18.71A RCW;

~~((41))~~ (40) "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, or approved substance use disorder treatment program, which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with ~~((mental illness, substance use disorders, or both mental illness and substance use))~~ behavioral health disorders;

~~((42))~~ (41) "Professional person" means a mental health professional, substance use disorder professional, or designated crisis responder 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;

~~((43))~~ (42) "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;

~~((44))~~ (43) "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;

~~((45))~~ (44) "Psychologist" means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

~~((46))~~ (45) "Public agency" means any evaluation and treatment facility or institution, secure withdrawal management and stabilization facility, approved substance use disorder treatment program, or hospital which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with ~~((mental illness, substance use disorders, or both mental illness and substance use))~~ behavioral health disorders, if the agency is operated directly by federal, state, county, or municipal government, or a combination of such governments;

~~((47))~~ (46) "Release" means legal termination of the commitment under the provisions of this chapter;

~~((48))~~ (47) "Resource management services" has the meaning given in chapter 71.24 RCW;

~~((49))~~ (48) "Secretary" means the secretary of the department of health, or his or her designee;

~~((50))~~ (49) "Secure withdrawal management and stabilization facility" means a facility operated by either a public or private agency or by the program of an agency which provides care to voluntary individuals and individuals involuntarily detained and committed under this chapter for whom there is a likelihood of serious harm or who are gravely disabled due to the presence of a substance use disorder. Secure withdrawal management and stabilization facilities must:

- (a) Provide the following services:
 - (i) Assessment and treatment, provided by certified substance use disorder professionals or co-occurring disorder specialists;
 - (ii) Clinical stabilization services;
 - (iii) Acute or subacute detoxification services for intoxicated individuals; and
 - (iv) Discharge assistance provided by certified substance use disorder professionals or co-occurring disorder specialists, including facilitating transitions to appropriate voluntary or

involuntary inpatient services or to less restrictive alternatives as appropriate for the individual;

(b) Include security measures sufficient to protect the patients, staff, and community; and

(c) Be licensed or certified as such by the department of health; ~~((51)) "Serious violent offense" has the same meaning as provided in RCW 9.94A.030;~~

~~((52))~~ (50) "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;

~~((53))~~ (51) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances;

~~((54))~~ (52) "Substance use disorder professional" means a person certified as a substance use disorder professional by the department of health under chapter 18.205 RCW;

~~((55))~~ (53) "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;

~~((56))~~ (54) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for ~~((mental illness))~~ behavioral health disorders, which are maintained by the department of social and health services, the department, the authority, behavioral health administrative services organizations and their staffs, managed care 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 of social and health services, the department, the authority, behavioral health administrative services organizations, managed care organizations, or a treatment facility if the notes or records are not available to others;

~~((57))~~ (55) "Triage facility" means a short-term facility or a portion of a facility licensed or certified by the department, 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 residential treatment facility standards. A triage facility may be structured as a voluntary or involuntary placement facility;

~~((58))~~ (56) "Violent act" means behavior that resulted in homicide, attempted suicide, ~~((nonfatal injuries))~~ injury, or substantial loss or damage to property;

(57) "Behavioral health disorder" means either a mental disorder as defined in this section, a substance use disorder as defined in this section, or a co-occurring mental disorder and substance use disorder;

(58) "Severe deterioration from safe behavior" means that a person will, if not treated, suffer or continue to suffer severe and abnormal mental, emotional, or physical distress, and this distress is associated with significant impairment of judgment, reason, or behavior;

(59) "Written order of apprehension" means an order of the court for a peace officer to deliver the named person in the order to a facility or emergency room as determined by the designated

crisis responder. Such orders shall be entered into the Washington crime information center database;

(60) "Video" means the delivery of behavioral health services through the use of interactive audio and video technology, permitting real-time communication between a person and a designated crisis responder, for the purpose of evaluation. "Video" does not include the use of audio-only telephone, facsimile, email, or store and forward technology. "Store and forward technology" means use of an asynchronous transmission of a person's medical information from a mental health service provider to the designated crisis responder which results in medical diagnosis, consultation, or treatment.

Sec. 36. RCW 71.05.025 and 2019 c 325 s 3002 are each amended to read as follows:

The legislature intends that the procedures and services authorized in this chapter be integrated with those in chapter 71.24 RCW to the maximum extent necessary to assure ~~((#))~~ an appropriate continuum of care ~~((#))~~ for persons with ~~((mental illness or who have mental disorders or substance use))~~ behavioral health disorders, as defined in either or both this chapter and chapter 71.24 RCW. To this end, behavioral health administrative services organizations established in accordance with chapter 71.24 RCW shall institute procedures which require timely consultation with resource management services by designated crisis responders, managed care organizations, evaluation and treatment facilities, secure ~~((detoxification))~~ withdrawal management and stabilization facilities, and approved substance use disorder treatment programs to assure that determinations to admit, detain, commit, treat, discharge, or release persons with ~~((mental disorders or substance use))~~ behavioral health disorders under this chapter are made only after appropriate information regarding such person's treatment history and current treatment plan has been sought from resource management services.

Sec. 37. RCW 71.05.026 and 2019 c 325 s 3003 are each amended to read as follows:

(1) Except for monetary damage claims which have been reduced to final judgment by a superior court, this section applies to all claims against the state, state agencies, state officials, or state employees that exist on or arise after March 29, 2006.

(2) Except as expressly provided in contracts entered into by the authority, the entities identified in subsection (3) of this section shall have no claim for declaratory relief, injunctive relief, judicial review under chapter 34.05 RCW, or civil liability against the state or state agencies for actions or inactions performed pursuant to the administration of this chapter with regard to the following: (a) The allocation or payment of federal or state funds; (b) the use or allocation of state hospital beds; or (c) financial responsibility for the provision of inpatient ~~((mental health care or inpatient substance use))~~ behavioral health disorder treatment and care.

(3) This section applies to counties, behavioral health administrative services organizations, managed care organizations, and entities which contract to provide behavioral health services and their subcontractors, agents, or employees.

Sec. 38. RCW 71.05.030 and 1998 c 297 s 4 are each amended to read as follows:

Persons suffering from a ~~((mental))~~ behavioral health disorder may not be involuntarily committed for treatment of such disorder except pursuant to provisions of this chapter, chapter 10.77 RCW, chapter 71.06 RCW, chapter 71.34 RCW, transfer pursuant to RCW 72.68.031 through 72.68.037, or pursuant to court ordered evaluation and treatment not to exceed ninety days pending a criminal trial or sentencing.

Sec. 39. RCW 71.05.040 and 2018 c 201 s 3004 are each amended to read as follows:

Persons with developmental disabilities, impaired by substance use disorder, or suffering from dementia shall not be detained for evaluation and treatment or judicially committed solely by reason of that condition unless such condition causes a person to be gravely disabled or ~~((as a result of a mental disorder such condition exists that constitutes))~~ to present a likelihood of serious harm. However, persons with developmental disabilities, impaired by substance use disorder, or suffering from dementia and who otherwise meet the criteria for detention or judicial commitment are not ineligible for detention or commitment based on this condition alone.

Sec. 40. RCW 71.05.050 and 2019 c 446 s 3 are each amended to read as follows:

(1) Nothing in this chapter shall be construed to limit the right of any person to apply voluntarily to any public or private agency or practitioner for treatment of a ~~((mental disorder or substance use))~~ behavioral health disorder, either by direct application or by referral. Any person voluntarily admitted for inpatient treatment to any public or private agency shall be released immediately upon his or her request. Any person voluntarily admitted for inpatient treatment to any public or private agency shall orally be advised of the right to immediate discharge, and further advised of such rights in writing as are secured to them pursuant to this chapter and their rights of access to attorneys, courts, and other legal redress. Their condition and status shall be reviewed at least once each one hundred eighty days for evaluation as to the need for further treatment or possible discharge, at which time they shall again be advised of their right to discharge upon request.

(2) If the professional staff of any public or private agency or hospital regards a person voluntarily admitted who requests discharge as presenting, as a result of a ~~((mental disorder or substance use))~~ behavioral health disorder, an imminent likelihood of serious harm, or is gravely disabled, they may detain such person for sufficient time to notify the designated crisis responder of such person's condition to enable the designated crisis responder to authorize such person being further held in custody or transported to an evaluation and treatment center, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program pursuant to the provisions of this chapter, which shall in ordinary circumstances be no later than the next judicial day.

(3) If a person is brought to the emergency room of a public or private agency or hospital for observation or treatment, the person refuses voluntary admission, and the professional staff of the public or private agency or hospital regard such person as presenting as a result of a ~~((mental disorder or substance use))~~ behavioral health disorder an imminent likelihood of serious harm, or as presenting an imminent danger because of grave disability, they may detain such person for sufficient time to notify the designated crisis responder of such person's condition to enable the designated crisis responder to authorize such person being further held in custody or transported to an evaluation treatment center, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program pursuant to the conditions in this chapter, but which time shall be no more than six hours from the time the professional staff notify the designated crisis responder of the need for evaluation, not counting time periods prior to medical clearance.

(4) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section based on the intent of this chapter under RCW 71.05.010 except in the few cases where the facility staff or designated crisis responder has totally disregarded the requirements of this section.

Sec. 41. RCW 71.05.100 and 2018 c 201 s 3005 are each amended to read as follows:

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

In addition to the responsibility provided for by RCW 43.20B.330, any person, or his or her estate, or his or her spouse, ~~((or the parents of a minor person))~~ who is involuntarily detained pursuant to this chapter for the purpose of treatment and evaluation outside of a facility maintained and operated by the department of social and health services shall be responsible for the cost of such care and treatment. In the event that an individual is unable to pay for such treatment or in the event payment would result in a substantial hardship upon the individual or his or her family, then the county of residence of such person shall be responsible for such costs. If it is not possible to determine the county of residence of the person, the cost shall be borne by the county where the person was originally detained. The department of social and health services, or the authority, as appropriate, shall, pursuant to chapter 34.05 RCW, adopt standards as to (1) inability to pay in whole or in part, (2) a definition of substantial hardship, and (3) appropriate payment schedules. Financial responsibility with respect to services and facilities of the department of social and health services shall continue to be as provided in RCW 43.20B.320 through 43.20B.360 and 43.20B.370.

Sec. 42. RCW 71.05.120 and 2019 c 446 s 22 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 designated crisis responder, nor the state, a unit of local government, an evaluation and treatment facility, a secure withdrawal management and stabilization facility, or an approved substance use disorder treatment program 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))~~ behavioral health agency pursuant to a policy adopted pursuant to RCW 71.05.457 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.

Sec. 43. RCW 71.05.132 and 2016 sp.s. c 29 s 209 are each amended to read as follows:

When any court orders a person to receive treatment under this chapter, the order shall include a statement that if the person is, or becomes, subject to supervision by the department of corrections, the person must notify the treatment provider and the person's ~~((mental health))~~ treatment ~~((information and substance use disorder treatment information))~~ records must be shared with the department of corrections for the duration of the offender's incarceration and supervision, under RCW 71.05.445. Upon a petition by a person who does not have a history of one or more violent acts, the court may, for good cause, find that public safety

would not be enhanced by the sharing of this person's information.

Sec. 44. RCW 71.05.150 and 2019 c 446 s 4 are each amended to read as follows:

(1) When a designated crisis responder receives information alleging that a person, as a result of a ~~((mental))~~ behavioral health disorder, ~~((substance use disorder, or both))~~ presents a likelihood of serious harm or is gravely disabled, or that a person is in need of assisted outpatient behavioral health treatment; the designated crisis responder may, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of any person providing information to initiate detention or involuntary outpatient treatment, if satisfied that the allegations are true and that the person will not voluntarily seek appropriate treatment, file a petition for initial detention under this section or a petition for involuntary outpatient behavioral health treatment under RCW 71.05.148. Before filing the petition, the designated crisis responder must personally interview the person, unless the person refuses an interview, and determine whether the person will voluntarily receive appropriate evaluation and treatment at an evaluation and treatment facility, crisis stabilization unit, triage facility, or approved substance use disorder treatment program. The interview performed by the designated crisis responder may be conducted by video provided that a licensed health care professional or professional person who can adequately and accurately assist with obtaining any necessary information is available at the time of the interview.

(2)(a) ~~((An))~~ A written order of apprehension to detain a person with a ~~((mental))~~ behavioral health disorder to a designated evaluation and treatment facility, ~~((or to detain a person with a substance use disorder to))~~ a secure withdrawal management and stabilization facility, or an approved substance use disorder treatment program, for not more than a seventy-two-hour evaluation and treatment period may be issued by a judge of the superior court upon request of a designated crisis responder, subject to (d) of this subsection, whenever it appears to the satisfaction of a judge of the superior court:

- (i) That there is probable cause to support the petition; and
- (ii) That the person has refused or failed to accept appropriate treatment and treatment voluntarily.

(b) The petition for initial detention, signed under penalty of perjury, or sworn telephonic testimony may be considered by the court in determining whether there are sufficient grounds for issuing the order.

(c) The order shall designate retained counsel or, if counsel is appointed from a list provided by the court, the name, business address, and telephone number of the attorney appointed to represent the person.

(d) A court may not issue an order to detain a person to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program unless there is an available secure withdrawal management and stabilization facility or approved substance use disorder treatment program that has adequate space for the person.

(3) The designated crisis responder shall then serve or cause to be served on such person, his or her guardian, and conservator, if any, a copy of the order together with a notice of rights, and a petition for initial detention. After service on such person the designated crisis responder shall file the return of service in court and provide copies of all papers in the court file to the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program, and the designated attorney. The designated crisis responder shall notify the court and the prosecuting attorney that a probable cause hearing will be held within seventy-two

hours of the date and time of outpatient evaluation or admission to the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program. The person shall be permitted to be accompanied by one or more of his or her relatives, friends, an attorney, a personal physician, or other professional or religious advisor to the place of evaluation. An attorney accompanying the person to the place of evaluation shall be permitted to be present during the admission evaluation. Any other individual accompanying the person may be present during the admission evaluation. The facility may exclude the individual if his or her presence would present a safety risk, delay the proceedings, or otherwise interfere with the evaluation.

(4) The designated crisis responder may notify a peace officer to take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program. At the time such person is taken into custody there shall commence to be served on such person, his or her guardian, and conservator, if any, a copy of the original order together with a notice of rights and a petition for initial detention.

Sec. 45. RCW 71.05.150 and 2019 c 446 s 4 are each amended to read as follows:

(1) When a designated crisis responder receives information alleging that a person, as a result of a ~~((mental))~~ behavioral health disorder, ~~((substance use disorder, or both))~~ presents a likelihood of serious harm or is gravely disabled, or that a person is in need of assisted outpatient behavioral health treatment; the designated crisis responder may, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of any person providing information to initiate detention or involuntary outpatient treatment, if satisfied that the allegations are true and that the person will not voluntarily seek appropriate treatment, file a petition for initial detention under this section or a petition for involuntary outpatient behavioral health treatment under RCW 71.05.148. Before filing the petition, the designated crisis responder must personally interview the person, unless the person refuses an interview, and determine whether the person will voluntarily receive appropriate evaluation and treatment at an evaluation and treatment facility, crisis stabilization unit, triage facility, or approved substance use disorder treatment program. The interview performed by the designated crisis responder may be conducted by video provided that a licensed health care professional or professional person who can adequately and accurately assist with obtaining any necessary information is available at the time of the interview.

(2)(a) ~~((An))~~ A written order of apprehension to detain a person with a ~~((mental))~~ behavioral health disorder to a designated evaluation and treatment facility, ~~((or to detain a person with a substance use disorder to))~~ a secure withdrawal management and stabilization facility, or an approved substance use disorder treatment program, for a period of not more than ~~((a seventy-two-hour))~~ one hundred twenty hours for evaluation and treatment ~~((period))~~, may be issued by a judge of the superior court upon request of a designated crisis responder, subject to (d) of this subsection, whenever it appears to the satisfaction of a judge of the superior court:

- (i) That there is probable cause to support the petition; and
- (ii) That the person has refused or failed to accept appropriate evaluation and treatment voluntarily.

(b) The petition for initial detention, signed under penalty of perjury, or sworn telephonic testimony may be considered by the court in determining whether there are sufficient grounds for issuing the order.

(c) The order shall designate retained counsel or, if counsel is appointed from a list provided by the court, the name, business address, and telephone number of the attorney appointed to represent the person.

(d) A court may not issue an order to detain a person to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program unless there is an available secure withdrawal management and stabilization facility or approved substance use disorder treatment program that has adequate space for the person.

(3) The designated crisis responder shall then serve or cause to be served on such person, his or her guardian, and conservator, if any, a copy of the order together with a notice of rights, and a petition for initial detention. After service on such person the designated crisis responder shall file the return of service in court and provide copies of all papers in the court file to the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program, and the designated attorney. The designated crisis responder shall notify the court and the prosecuting attorney that a probable cause hearing will be held within ~~((seventy-two))~~ one hundred twenty hours of the date and time of outpatient evaluation or admission to the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program. The person shall be permitted to be accompanied by one or more of his or her relatives, friends, an attorney, a personal physician, or other professional or religious advisor to the place of evaluation. An attorney accompanying the person to the place of evaluation shall be permitted to be present during the admission evaluation. Any other individual accompanying the person may be present during the admission evaluation. The facility may exclude the individual if his or her presence would present a safety risk, delay the proceedings, or otherwise interfere with the evaluation.

(4) The designated crisis responder may notify a peace officer to take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program. At the time such person is taken into custody there shall commence to be served on such person, his or her guardian, and conservator, if any, a copy of the original order together with a notice of rights and a petition for initial detention.

Sec. 46. RCW 71.05.150 and 2019 c 446 s 5 are each amended to read as follows:

(1) When a designated crisis responder receives information alleging that a person, as a result of a ~~((mental))~~ behavioral health disorder, ~~((substance use disorder, or both))~~ presents a likelihood of serious harm or is gravely disabled, or that a person is in need of assisted outpatient behavioral health treatment; the designated crisis responder may, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of any person providing information to initiate detention or involuntary outpatient treatment, if satisfied that the allegations are true and that the person will not voluntarily seek appropriate treatment, file a petition for initial detention under this section or a petition for involuntary outpatient behavioral health treatment under RCW 71.05.148. Before filing the petition, the designated crisis responder must personally interview the person, unless the person refuses an interview, and determine whether the person will voluntarily receive appropriate evaluation and treatment at an evaluation and treatment facility, crisis stabilization unit, triage facility, or approved substance use disorder treatment program. The interview performed by the designated crisis responder may be conducted by video provided that a licensed health care professional or professional person who can adequately and

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

accurately assist with obtaining any necessary information is available at the time of the interview.

(2)(a) ~~((An))~~ A written order of apprehension to detain a person with a ~~((mental))~~ behavioral health disorder to a designated evaluation and treatment facility, ~~((or to detain a person with a substance use disorder to))~~ a secure withdrawal management and stabilization facility, or an approved substance use disorder treatment program, for a period of not more than ~~((a seventy-two-hour))~~ one hundred twenty hours for evaluation and treatment ~~((period))~~, may be issued by a judge of the superior court upon request of a designated crisis responder whenever it appears to the satisfaction of a judge of the superior court:

- (i) That there is probable cause to support the petition; and
- (ii) That the person has refused or failed to accept appropriate evaluation and treatment voluntarily.

(b) The petition for initial detention, signed under penalty of perjury, or sworn telephonic testimony may be considered by the court in determining whether there are sufficient grounds for issuing the order.

(c) The order shall designate retained counsel or, if counsel is appointed from a list provided by the court, the name, business address, and telephone number of the attorney appointed to represent the person.

(3) The designated crisis responder shall then serve or cause to be served on such person, his or her guardian, and conservator, if any, a copy of the order together with a notice of rights, and a petition for initial detention. After service on such person the designated crisis responder shall file the return of service in court and provide copies of all papers in the court file to the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program, and the designated attorney. The designated crisis responder shall notify the court and the prosecuting attorney that a probable cause hearing will be held within ~~((seventy-two))~~ one hundred twenty hours of the date and time of outpatient evaluation or admission to the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program. The person shall be permitted to be accompanied by one or more of his or her relatives, friends, an attorney, a personal physician, or other professional or religious advisor to the place of evaluation. An attorney accompanying the person to the place of evaluation shall be permitted to be present during the admission evaluation. Any other individual accompanying the person may be present during the admission evaluation. The facility may exclude the individual if his or her presence would present a safety risk, delay the proceedings, or otherwise interfere with the evaluation.

(4) The designated crisis responder may notify a peace officer to take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program. At the time such person is taken into custody there shall commence to be served on such person, his or her guardian, and conservator, if any, a copy of the original order together with a notice of rights and a petition for initial detention.

Sec. 47. RCW 71.05.153 and 2019 c 446 s 6 are each amended to read as follows:

(1) When a designated crisis responder receives information alleging that a person, as the result of a ~~((mental))~~ behavioral health disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the designated crisis responder may take

such person, or cause by oral or written order such person to be taken into emergency custody in an evaluation and treatment facility, secure withdrawal management and stabilization facility if available with adequate space for the person, or approved substance use disorder treatment program if available with adequate space for the person, for not more than seventy-two hours as described in RCW 71.05.180.

~~((2))~~ ~~((When a designated crisis responder receives information alleging that a person, as the result of substance use disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the designated crisis responder may take the person, or cause by oral or written order the person to be taken, into emergency custody in a secure withdrawal management and stabilization facility or approved substance use disorder treatment program for not more than seventy two hours as described in RCW 71.05.180, if a secure withdrawal management and stabilization facility or approved substance use disorder treatment program is available and has adequate space for the person.~~

~~((3))~~(a) Subject to (b) of this subsection, a peace officer may take or cause such person to be taken into custody and immediately delivered to a triage facility, crisis stabilization unit, evaluation and treatment facility, secure withdrawal management and stabilization facility, approved substance use disorder treatment program, or the emergency department of a local hospital under the following circumstances:

- (i) Pursuant to subsection (1) ~~((or (2)))~~ of this section; or
- (ii) When he or she has reasonable cause to believe that such person is suffering from a ~~((or substance use disorder))~~ behavioral health disorder ~~((or substance use disorder))~~ and presents an imminent likelihood of serious harm or is in imminent danger because of being gravely disabled.

(b) A peace officer's delivery of a person, ~~((based on a substance use disorder,))~~ to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program is subject to the availability of a secure withdrawal management and stabilization facility or approved substance use disorder treatment program with adequate space for the person.

~~((4))~~ (3) Persons delivered to a crisis stabilization unit, evaluation and treatment facility, emergency department of a local hospital, triage facility that has elected to operate as an involuntary facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program by peace officers pursuant to subsection ~~((3))~~ (2) of this section may be held by the facility for a period of up to twelve hours, not counting time periods prior to medical clearance.

~~((5))~~ (4) Within three hours after arrival, not counting time periods prior to medical clearance, the person must be examined by a mental health professional or substance use disorder professional. Within twelve hours of notice of the need for evaluation, not counting time periods prior to medical clearance, the designated crisis responder must determine whether the individual meets detention criteria. The interview performed by the designated crisis responder may be conducted by video provided that a licensed health care professional or professional person who can adequately and accurately assist with obtaining any necessary information is available at the time of the interview. If the individual is detained, the designated crisis responder shall file a petition for detention or a supplemental petition as appropriate and commence service on the designated attorney for the detained person. If the individual is released to the community, the ~~((mental))~~ behavioral health service provider

shall inform the peace officer of the release within a reasonable period of time after the release if the peace officer has specifically requested notification and provided contact information to the provider.

~~((6))~~ (5) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section based on the intent of this chapter under RCW 71.05.010 except in the few cases where the facility staff or designated ~~((mental health professional))~~ crisis responder has totally disregarded the requirements of this section.

Sec. 48. RCW 71.05.153 and 2019 c 446 s 6 are each amended to read as follows:

(1) When a designated crisis responder receives information alleging that a person, as the result of a ~~((mental))~~ behavioral health disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the designated crisis responder may take such person, or cause by oral or written order such person to be taken into emergency custody in an evaluation and treatment facility, secure withdrawal management and stabilization facility if available with adequate space for the person, or approved substance use disorder treatment program if available with adequate space for the person, for not more than ~~((seventy-two))~~ one hundred twenty hours as described in RCW 71.05.180.

~~(2) ((When a designated crisis responder receives information alleging that a person, as the result of substance use disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the designated crisis responder may take the person, or cause by oral or written order the person to be taken, into emergency custody in a secure withdrawal management and stabilization facility or approved substance use disorder treatment program for not more than seventy-two hours as described in RCW 71.05.180, if a secure withdrawal management and stabilization facility or approved substance use disorder treatment program is available and has adequate space for the person.~~

~~(3))~~(a) Subject to (b) of this subsection, a peace officer may take or cause such person to be taken into custody and immediately delivered to a triage facility, crisis stabilization unit, evaluation and treatment facility, secure withdrawal management and stabilization facility, approved substance use disorder treatment program, or the emergency department of a local hospital under the following circumstances:

(i) Pursuant to subsection (1) ~~((or (2)))~~ of this section; or
 (ii) When he or she has reasonable cause to believe that such person is suffering from a ~~((mental))~~ behavioral health disorder ~~((or substance use disorder))~~ and presents an imminent likelihood of serious harm or is in imminent danger because of being gravely disabled.

(b) A peace officer's delivery of a person, ~~((based on a substance use disorder,))~~ to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program is subject to the availability of a secure withdrawal management and stabilization facility or approved substance use disorder treatment program with adequate space for the person.

~~((4))~~ (3) Persons delivered to a crisis stabilization unit, evaluation and treatment facility, emergency department of a local hospital, triage facility that has elected to operate as an involuntary facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program by peace officers pursuant to subsection ~~((2))~~ (2) of this section may be held by the facility for a period of up to

twelve hours, not counting time periods prior to medical clearance.

~~((5))~~ (4) Within three hours after arrival, not counting time periods prior to medical clearance, the person must be examined by a mental health professional or substance use disorder professional. Within twelve hours of notice of the need for evaluation, not counting time periods prior to medical clearance, the designated crisis responder must determine whether the individual meets detention criteria. The interview performed by the designated crisis responder may be conducted by video provided that a licensed health care professional or professional person who can adequately and accurately assist with obtaining any necessary information is available at the time of the interview. If the individual is detained, the designated crisis responder shall file a petition for detention or a supplemental petition as appropriate and commence service on the designated attorney for the detained person. If the individual is released to the community, the ~~((mental))~~ behavioral health service provider shall inform the peace officer of the release within a reasonable period of time after the release if the peace officer has specifically requested notification and provided contact information to the provider.

~~((6))~~ (5) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section based on the intent of this chapter under RCW 71.05.010 except in the few cases where the facility staff or designated ~~((mental health professional))~~ crisis responder has totally disregarded the requirements of this section.

Sec. 49. RCW 71.05.153 and 2019 c 446 s 7 are each amended to read as follows:

(1) When a designated crisis responder receives information alleging that a person, as the result of a ~~((mental))~~ behavioral health disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the designated crisis responder may take such person, or cause by oral or written order such person to be taken into emergency custody in an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program, for not more than ~~((seventy-two))~~ one hundred twenty hours as described in RCW 71.05.180.

~~(2) ((When a designated crisis responder receives information alleging that a person, as the result of substance use disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of the person or persons providing the information if any, the designated crisis responder may take the person, or cause by oral or written order the person to be taken, into emergency custody in a secure withdrawal management and stabilization facility or approved substance use disorder treatment program for not more than seventy-two hours as described in RCW 71.05.180.~~

~~(3))~~ A peace officer may take or cause such person to be taken into custody and immediately delivered to a triage facility, crisis stabilization unit, evaluation and treatment facility, secure withdrawal management and stabilization facility, approved substance use disorder treatment program, or the emergency department of a local hospital under the following circumstances:

(a) Pursuant to subsection (1) ~~((or (2)))~~ of this section; or
 (b) When he or she has reasonable cause to believe that such person is suffering from a ~~((mental))~~ behavioral health disorder ~~((or substance use disorder))~~ and presents an imminent likelihood

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

of serious harm or is in imminent danger because of being gravely disabled.

~~((4))~~ (3) Persons delivered to a crisis stabilization unit, evaluation and treatment facility, emergency department of a local hospital, triage facility that has elected to operate as an involuntary facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program by peace officers pursuant to subsection ~~((3))~~ (2) of this section may be held by the facility for a period of up to twelve hours, not counting time periods prior to medical clearance.

~~((5))~~ (4) Within three hours after arrival, not counting time periods prior to medical clearance, the person must be examined by a mental health professional or substance use disorder professional. Within twelve hours of notice of the need for evaluation, not counting time periods prior to medical clearance, the designated crisis responder must determine whether the individual meets detention criteria. The interview performed by the designated crisis responder may be conducted by video provided that a licensed health care professional or professional person who can adequately and accurately assist with obtaining any necessary information is available at the time of the interview. If the individual is detained, the designated crisis responder shall file a petition for detention or a supplemental petition as appropriate and commence service on the designated attorney for the detained person. If the individual is released to the community, the ~~((mental))~~ behavioral health service provider shall inform the peace officer of the release within a reasonable period of time after the release if the peace officer has specifically requested notification and provided contact information to the provider.

~~((6))~~ (5) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section based on the intent of this chapter under RCW 71.05.010 except in the few cases where the facility staff or designated ~~((mental health professional))~~ crisis responder has totally disregarded the requirements of this section.

Sec. 50. RCW 71.05.160 and 2019 c 446 s 19 are each amended to read as follows:

(1) Any facility receiving a person pursuant to RCW 71.05.150 or 71.05.153 shall require the designated crisis responder to prepare a petition for initial detention stating the circumstances under which the person's condition was made known and stating that there is evidence, as a result of his or her personal observation or investigation, that the actions of the person for which application is made constitute a likelihood of serious harm, or that he or she is gravely disabled, and stating the specific facts known to him or her as a result of his or her personal observation or investigation, upon which he or she bases the belief that such person should be detained for the purposes and under the authority of this chapter.

(2)(a) If a person is involuntarily placed in an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program pursuant to RCW 71.05.150 or 71.05.153, on the next judicial day following the initial detention, the designated crisis responder shall file with the court and serve the designated attorney of the detained person the petition or supplemental petition for initial detention, proof of service of notice, and a copy of a notice of emergency detention.

(b) If the person is involuntarily detained at an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program in a different county from where the person was initially detained, the facility or program may file with the

court and serve the designated attorney of the detained person the petition or supplemental petition for initial detention, proof of service of notice, and a copy of a notice of emergency detention at the request of the designated crisis responder.

Sec. 51. RCW 71.05.170 and 2016 sp.s. c 29 s 218 are each amended to read as follows:

Whenever the designated crisis responder petitions for detention of a person whose actions constitute a likelihood of serious harm, or who is gravely disabled, the facility providing ~~((seventy-two))~~ one hundred twenty hour evaluation and treatment must immediately accept on a provisional basis the petition and the person. The facility shall then evaluate the person's condition and admit, detain, transfer, or discharge such person in accordance with RCW 71.05.210. The facility shall notify in writing the court and the designated crisis responder of the date and time of the initial detention of each person involuntarily detained in order that a probable cause hearing shall be held no later than ~~((seventy-two))~~ one hundred twenty hours after detention.

The duty of a state hospital to accept persons for evaluation and treatment under this section shall be limited by chapter 71.24 RCW.

Sec. 52. RCW 71.05.180 and 2019 c 446 s 18 are each amended to read as follows:

If the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program admits the person, it may detain him or her for evaluation and treatment for a period not to exceed ~~((seventy-two))~~ one hundred twenty hours from the time of acceptance as set forth in RCW 71.05.170. The computation of such ~~((seventy-two))~~ one hundred twenty hour period shall exclude Saturdays, Sundays and holidays.

Sec. 53. RCW 71.05.182 and 2019 c 247 s 1 are each amended to read as follows:

(1) A person who under RCW 71.05.150 or 71.05.153 has been detained at a facility for ~~((seventy-two hour))~~ a period of not more than one hundred twenty hours for evaluation and treatment on the grounds that the person presents a likelihood of serious harm, but who has not been subsequently committed for involuntary treatment under RCW 71.05.240, may not have in his or her possession or control any firearm for a period of six months after the date that the person is detained.

(2) Before the discharge of a person who has been initially detained under RCW 71.05.150 or 71.05.153 on the grounds that the person presents a likelihood of serious harm, but has not been subsequently committed for involuntary treatment under RCW 71.05.240, the designated crisis responder shall inform the person orally and in writing that:

(a) He or she is prohibited from possessing or controlling any firearm for a period of six months;

(b) He or she must immediately surrender, for the six-month period, any concealed pistol license and any firearms that the person possesses or controls to the sheriff of the county or the chief of police of the municipality in which the person is domiciled;

(c) After the six-month suspension, the person's right to control or possess any firearm or concealed pistol license shall be automatically restored, absent further restrictions imposed by other law; and

(d) Upon discharge, the person may petition the superior court to have his or her right to possess a firearm restored before the six-month suspension period has elapsed by following the procedures provided in RCW 9.41.047(3).

(3)(a) A law enforcement agency holding any firearm that has been surrendered pursuant to this section shall, upon the request

of the person from whom it was obtained, return the firearm at the expiration of the six-month suspension period, or prior to the expiration of the six-month period if the person's right to possess firearms has been restored by the court under RCW 9.41.047. The law enforcement agency must comply with the provisions of RCW 9.41.345 when returning a firearm pursuant to this section.

(b) Any firearm surrendered pursuant to this section that remains unclaimed by the lawful owner shall be disposed of in accordance with the law enforcement agency's policies and procedures for the disposal of firearms in police custody.

Sec. 54. RCW 71.05.190 and 2019 c 446 s 17 are each amended to read as follows:

If the person is not approved for admission by a facility providing ~~((seventy-two))~~ one hundred twenty hour evaluation and treatment, and the individual has not been arrested, the facility shall furnish transportation, if not otherwise available, for the person to his or her place of residence or other appropriate place. If the individual has been arrested, the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program shall detain the individual for not more than eight hours at the request of the peace officer. The facility shall make reasonable attempts to contact the requesting peace officer during this time to inform the peace officer that the person is not approved for admission in order to enable a peace officer to return to the facility and take the individual back into custody.

Sec. 55. RCW 71.05.195 and 2016 sp.s. c 29 s 221 are each amended to read as follows:

(1) A civil commitment may be initiated under the procedures described in RCW 71.05.150 or 71.05.153 for a person who has been found not guilty by reason of insanity in a state other than Washington and who has fled from detention, commitment, or conditional release in that state, on the basis of a request by the state in which the person was found not guilty by reason of insanity for the person to be detained and transferred back to the custody or care of the requesting state. A finding of likelihood of serious harm or grave disability is not required for a commitment under this section. The detention may occur at either an evaluation and treatment facility or a state hospital. The petition for ~~((seventy-two))~~ one hundred twenty hour detention filed by the designated crisis responder must be accompanied by the following documents:

(a) A copy of an order for detention, commitment, or conditional release of the person in a state other than Washington on the basis of a judgment of not guilty by reason of insanity;

(b) A warrant issued by a magistrate in the state in which the person was found not guilty by reason of insanity indicating that the person has fled from detention, commitment, or conditional release in that state and authorizing the detention of the person within the state in which the person was found not guilty by reason of insanity;

(c) A statement from the executive authority of the state in which the person was found not guilty by reason of insanity requesting that the person be returned to the requesting state and agreeing to facilitate the transfer of the person to the requesting state.

(2) The person shall be entitled to a probable cause hearing within the time limits applicable to other detentions under this chapter and shall be afforded the rights described in this chapter including the right to counsel. At the probable cause hearing, the court shall determine the identity of the person and whether the other requirements of this section are met. If the court so finds, the court may order continued detention in a treatment facility for up to thirty days for the purpose of the transfer of the person to the custody or care of the requesting state. The court may order a less restrictive alternative to detention only under conditions

which ensure the person's safe transfer to the custody or care of the requesting state within thirty days without undue risk to the safety of the person or others.

(3) For the purposes of this section, "not guilty by reason of insanity" shall be construed to include any provision of law which is generally equivalent to a finding of criminal insanity within the state of Washington; and "state" shall be construed to mean any state, district, or territory of the United States.

Sec. 56. RCW 71.05.201 and 2018 c 291 s 11 are each amended to read as follows:

(1) If a designated crisis responder 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 crisis responder received a request for investigation and the designated crisis responder 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 petition under this section must be filed within ten calendar days following the designated crisis responder investigation or the request for a designated crisis responder investigation. If more than ten days have elapsed, the immediate family member, guardian, or conservator may request a new designated crisis responder investigation.

(3)(a) The petition must be filed in the county in which the designated crisis responder 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.

(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 crisis responder.

(4) 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 crisis responder 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 crisis responder's current decision.

(5) 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.

(6) The court shall dismiss the petition at any time if it finds that a designated crisis responder 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.

(7) 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 or an order instructing the designated crisis responder to file a petition for assisted outpatient behavioral health treatment if the court finds that: (a) There is probable cause to support a petition for detention or assisted outpatient behavioral health treatment; 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.

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

(8) If the court enters an order for initial detention, it shall provide the order to the designated crisis responder agency and issue a written order for apprehension ~~((of the person by a peace officer for delivery of the person to a facility or emergency room determined by the designated crisis responder))~~. The designated crisis responder agency serving the jurisdiction of the court must collaborate and coordinate with law enforcement regarding apprehensions and detentions under this subsection, including sharing of information relating to risk and which would assist in locating the person. A person may not be detained to jail pursuant to a written order issued under this subsection. An order for detention under this section should contain the advisement of rights which the person would receive if the person were detained by a designated crisis responder. An order for initial detention under this section expires one hundred eighty days from issuance.

(9) 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.

(10) For purposes of this section, "immediate family member" means a spouse, domestic partner, child, stepchild, parent, stepparent, grandparent, or sibling.

Sec. 57. RCW 71.05.210 and 2019 c 446 s 8 are each amended to read as follows:

(1) Each person involuntarily detained and accepted or admitted at an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program:

(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:

(i) One physician, physician assistant, or advanced registered nurse practitioner; and

(ii) One mental health professional. If the person is detained for substance use disorder evaluation and treatment, the person may be examined by a ~~((chemical dependency))~~ substance use disorder professional instead of a mental health professional; and

(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: (i) Any other medication previously prescribed by a person licensed under Title 18 RCW; or (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 or ~~((chemical dependency))~~ substance use disorder professional and licensed physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the person, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment program, or, if detained to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility then the

person shall be referred to the more appropriate placement; however, a person may only be referred to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program if there is an available secure withdrawal management and stabilization facility or approved substance use disorder treatment program with adequate space for the person.

(3) An evaluation and treatment center, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program 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 crisis responder 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. 58. RCW 71.05.210 and 2019 c 446 s 8 are each amended to read as follows:

(1) Each person involuntarily detained and accepted or admitted at an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program:

(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:

(i) One physician, physician assistant, or advanced registered nurse practitioner; and

(ii) One mental health professional. If the person is detained for substance use disorder evaluation and treatment, the person may be examined by a ~~((chemical dependency))~~ substance use disorder professional instead of a mental health professional; and

(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: (i) Any other medication previously prescribed by a person licensed under Title 18 RCW; or (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))~~ one hundred twenty 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))~~ one hundred twenty 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 or ~~((chemical dependency))~~ substance use disorder professional and licensed physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the person, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment program, or, if detained to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility then the person shall be referred to the more appropriate placement; however, a person may only be referred to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program if there is an available secure

withdrawal management and stabilization facility or approved substance use disorder treatment program with adequate space for the person.

(3) An evaluation and treatment center, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program 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 crisis responder 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. 59. RCW 71.05.210 and 2019 c 446 s 9 are each amended to read as follows:

(1) Each person involuntarily detained and accepted or admitted at an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program:

(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:

(i) One physician, physician assistant, or advanced registered nurse practitioner; and

(ii) One mental health professional. If the person is detained for substance use disorder evaluation and treatment, the person may be examined by a ~~((chemical dependency))~~ substance use disorder professional instead of a mental health professional; and

(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: (i) Any other medication previously prescribed by a person licensed under Title 18 RCW; or (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))~~ one hundred twenty 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))~~ one hundred twenty 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 or ~~((chemical dependency))~~ substance use disorder professional and licensed physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the person, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment program, or, if detained to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility then the person shall be referred to the more appropriate placement.

(3) An evaluation and treatment center, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program 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 crisis responder 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. 60. RCW 71.05.212 and 2018 c 291 s 13 are each amended to read as follows:

(1) Whenever a designated crisis responder or professional person is conducting an evaluation under this chapter, consideration shall include all reasonably available information from credible witnesses and records regarding:

(a) Prior recommendations for evaluation of the need for civil commitments when the recommendation is made pursuant to an evaluation conducted under chapter 10.77 RCW;

(b) Historical behavior, including history of one or more violent acts;

(c) Prior determinations of incompetency or insanity under chapter 10.77 RCW; and

(d) Prior commitments under this chapter.

(2) Credible witnesses may include family members, landlords, neighbors, or others with significant contact and history of involvement with the person. If the designated crisis responder relies upon information from a credible witness in reaching his or her decision to detain the individual, then he or she must provide contact information for any such witness to the prosecutor. The designated crisis responder or prosecutor shall provide notice of the date, time, and location of the probable cause hearing to such a witness.

(3) Symptoms and behavior of the respondent which standing alone would not justify civil commitment may support a finding of grave disability or likelihood of serious harm, or a finding that the person is in need of assisted outpatient behavioral health treatment, when:

(a) Such symptoms or behavior are closely associated with symptoms or behavior which preceded and led to a past incident of involuntary hospitalization, severe deterioration from safe behavior, or one or more violent acts;

(b) These symptoms or behavior represent a marked and concerning change in the baseline behavior of the respondent; and

(c) Without treatment, the continued deterioration of the respondent is probable.

(4) When conducting an evaluation for offenders identified under RCW 72.09.370, the designated crisis responder or professional person shall consider an offender's history of judicially required or administratively ordered antipsychotic medication while in confinement.

Sec. 61. RCW 71.05.214 and 2018 c 201 s 3007 are each amended to read as follows:

The authority shall develop statewide protocols to be utilized by professional persons and designated crisis responders in administration of this chapter and chapters 10.77 and 71.34 RCW. The protocols shall be updated at least every three years. The protocols shall provide uniform development and application of criteria in evaluation and commitment recommendations, of persons who have, or are alleged to have, ~~((mental disorders or substance use))~~ behavioral health disorders and are subject to this chapter.

The initial protocols shall be developed not later than September 1, 1999. The authority shall develop and update the protocols in consultation with representatives of designated crisis responders, the department of social and health services, local government, law enforcement, county and city prosecutors, public defenders, and groups concerned with ~~((mental illness and substance use))~~ behavioral health disorders. The protocols shall be submitted to the governor and legislature upon adoption by the authority.

Sec. 62. RCW 71.05.215 and 2018 c 201 s 3008 are each amended to read as follows:

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

(1) A person found to be gravely disabled or ~~((presents))~~ to present a likelihood of serious harm as a result of a ~~((mental disorder or substance use))~~ behavioral health 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 authority 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. 63. RCW 71.05.217 and 2016 c 155 s 4 are each amended to read as follows:

(1) 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))~~ (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;

~~((2))~~ (b) To keep and be allowed to spend a reasonable sum of his or her own money for canteen expenses and small purchases;

~~((3))~~ (c) To have access to individual storage space for his or her private use;

~~((4))~~ (d) To have visitors at reasonable times;

~~((5))~~ (e) To have reasonable access to a telephone, both to make and receive confidential calls;

~~((6))~~ (f) To have ready access to letter writing materials, including stamps, and to send and receive uncensored correspondence through the mails;

~~((7))~~ (g) To have the right to individualized care and adequate treatment;

(h) To discuss treatment plans and decisions with professional persons;

(i) To not be denied access to treatment by spiritual means through prayer in accordance with the tenets and practices of a church or religious denomination in addition to the treatment otherwise proposed;

(j) Not to consent to the administration of antipsychotic medications beyond the hearing conducted pursuant to RCW 71.05.320(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))~~ (i) 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))~~ (ii) The court shall make specific findings of fact concerning: ~~((i))~~ (A) The existence of one or more compelling state interests; ~~((ii))~~ (B) the necessity and effectiveness of the treatment; and ~~((iii))~~ (C) 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))~~ (iii) 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))~~ (A) To be represented by an attorney; ~~((ii))~~ (B) to present evidence; ~~((iii))~~ (C) to cross-examine witnesses; ~~((iv))~~ (D) to have the rules of evidence enforced; ~~((v))~~ (E) to remain silent; ~~((vi))~~ (F) to view and copy all petitions and reports in the court file; and ~~((vii))~~ (G) 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))~~ (iv) 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))~~ (v) Any person detained pursuant to RCW 71.05.320(4), who subsequently refuses antipsychotic medication, shall be entitled to the procedures set forth in this subsection.

~~((f))~~ (vi) 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) A person presents an imminent likelihood of serious harm;

~~((#))~~ (B) Medically acceptable alternatives to administration of antipsychotic medications are not available, have not been successful, or are not likely to be effective; and

~~((#))~~ (C) 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;

~~((#))~~ (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;

~~((#))~~ (l) Not to have psychosurgery performed on him or her under any circumstances.

(2) Every person involuntarily detained or committed under the provisions of this chapter is entitled to all the rights set forth in this chapter and retains all rights not denied him or her under this chapter except as limited by chapter 9.41 RCW.

(3) No person may be presumed incompetent as a consequence of receiving evaluation or treatment for a behavioral health disorder. Competency may not be determined or withdrawn except under the provisions of chapter 10.77 or 11.88 RCW.

(4) Subject to RCW 71.05.745 and related regulations, persons receiving evaluation or treatment under this chapter must 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 under this chapter, the person must be advised that unless the person is released or voluntarily admits himself or herself for treatment within seventy-two hours of the initial detention, a judicial hearing must be held in a superior court within seventy-two hours to determine whether there is probable cause to detain the person for up to an additional fourteen days based on an allegation that because of a behavioral health disorder the person presents a likelihood of serious harm or is gravely disabled, and that at the probable cause hearing the person has the following rights:

(a) To communicate immediately with an attorney; to have an attorney appointed if the person is indigent; and to be told the name and address of the attorney that has been designated;

(b) To remain silent, and to know that any statement the person makes may be used against him or her;

(c) To present evidence on the person's behalf;

(d) To cross-examine witnesses who testify against him or her;

(e) To be proceeded against by the rules of evidence;

(f) To have the court appoint a reasonably available independent professional person to examine the person and testify in the hearing, at public expense unless the person is able to bear the cost;

(g) To view and copy all petitions and reports in the court file; and

(h) To refuse psychiatric medications, including antipsychotic medication beginning twenty-four hours prior to the probable cause hearing.

(6) The judicial hearing described in subsection (5) of this section must be held according to the provisions of subsection (5) of this section and rules promulgated by the supreme court.

(7)(a) 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 are 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.

(b) 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.

(c) The record maker may 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.

(8) Nothing contained in this chapter prohibits the patient from petitioning by writ of habeas corpus for release.

(9) 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.

(10) The rights set forth under this section apply equally to ninety-day or one hundred eighty-day hearings under RCW 71.05.310.

Sec. 64. RCW 71.05.217 and 2016 c 155 s 4 are each amended to read as follows:

(1) 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:

~~((+))~~ (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;

~~((2))~~ (b) To keep and be allowed to spend a reasonable sum of his or her own money for canteen expenses and small purchases;

~~((3))~~ (c) To have access to individual storage space for his or her private use;

~~((4))~~ (d) To have visitors at reasonable times;

~~((5))~~ (e) To have reasonable access to a telephone, both to make and receive confidential calls;

~~((6))~~ (f) To have ready access to letter writing materials, including stamps, and to send and receive uncensored correspondence through the mails;

~~((7))~~ (g) To have the right to individualized care and adequate treatment;

(h) To discuss treatment plans and decisions with professional persons;

(i) To not be denied access to treatment by spiritual means through prayer in accordance with the tenets and practices of a church or religious denomination in addition to the treatment otherwise proposed;

(j) Not to consent to the administration of antipsychotic medications beyond the hearing conducted pursuant to RCW 71.05.320(4) or the performance of electroconvulsant therapy or surgery, except emergency lifesaving surgery, unless ordered by

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

a court of competent jurisdiction pursuant to the following standards and procedures:

~~((e))~~ (i) 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))~~ (ii) The court shall make specific findings of fact concerning: ~~((+))~~ (A) The existence of one or more compelling state interests; ~~((+))~~ (B) the necessity and effectiveness of the treatment; and ~~((+))~~ (C) 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.

~~((e))~~ (iii) 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: ~~((+))~~ (A) To be represented by an attorney; ~~((+))~~ (B) to present evidence; ~~((+))~~ (C) to cross-examine witnesses; ~~((+))~~ (D) to have the rules of evidence enforced; ~~((+))~~ (E) to remain silent; ~~((+))~~ (F) to view and copy all petitions and reports in the court file; and ~~((+))~~ (G) 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))~~ (iv) 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))~~ (v) Any person detained pursuant to RCW 71.05.320(4), who subsequently refuses antipsychotic medication, shall be entitled to the procedures set forth in this subsection.

~~((f))~~ (vi) 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:

~~((+))~~ (A) A person presents an imminent likelihood of serious harm;

~~((+))~~ (B) Medically acceptable alternatives to administration of antipsychotic medications are not available, have not been successful, or are not likely to be effective; and

~~((+))~~ (C) 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))~~ (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;

~~((9))~~ (l) Not to have psychosurgery performed on him or her under any circumstances.

(2) Every person involuntarily detained or committed under the provisions of this chapter is entitled to all the rights set forth in this chapter and retains all rights not denied him or her under this chapter except as limited by chapter 9.41 RCW.

(3) No person may be presumed incompetent as a consequence of receiving evaluation or treatment for a behavioral health disorder. Competency may not be determined or withdrawn except under the provisions of chapter 10.77 or 11.88 RCW.

(4) Subject to RCW 71.05.745 and related regulations, persons receiving evaluation or treatment under this chapter must 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 under this chapter, the person must be advised that unless the person is released or voluntarily admits himself or herself for treatment within one hundred twenty hours of the initial detention, a judicial hearing must be held in a superior court within one hundred twenty hours to determine whether there is probable cause to detain the person for up to an additional fourteen days based on an allegation that because of a behavioral health disorder the person presents a likelihood of serious harm or is gravely disabled, and that at the probable cause hearing the person has the following rights:

(a) To communicate immediately with an attorney; to have an attorney appointed if the person is indigent; and to be told the name and address of the attorney that has been designated;

(b) To remain silent, and to know that any statement the person makes may be used against him or her;

(c) To present evidence on the person's behalf;

(d) To cross-examine witnesses who testify against him or her;

(e) To be proceeded against by the rules of evidence;

(f) To have the court appoint a reasonably available independent professional person to examine the person and testify in the hearing, at public expense unless the person is able to bear the cost;

(g) To view and copy all petitions and reports in the court file; and

(h) To refuse psychiatric medications, including antipsychotic medication beginning twenty-four hours prior to the probable cause hearing.

(6) The judicial hearing described in subsection (5) of this section must be held according to the provisions of subsection (5) of this section and rules promulgated by the supreme court.

(7)(a) 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 are 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.

(b) 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.

(c) The record maker may 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.

(8) Nothing contained in this chapter prohibits the patient from petitioning by writ of habeas corpus for release.

(9) 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.

(10) The rights set forth under this section apply equally to ninety-day or one hundred eighty-day hearings under RCW 71.05.310.

Sec. 65. RCW 71.05.230 and 2018 c 291 s 6 are each amended to read as follows:

A person detained for seventy-two hour evaluation and treatment may be committed for not more than fourteen additional days of involuntary intensive treatment or ninety additional days of a less restrictive alternative treatment. A petition may only be filed if the following conditions are met:

(1) The professional staff of the facility providing evaluation services has analyzed the person's condition and finds that the condition is caused by ~~((mental disorder or substance use))~~ a behavioral health disorder and results in: (a) A likelihood of serious harm~~((results in))~~; (b) the person being gravely disabled~~((;))~~; or ~~((results in))~~ (c) the person being in need of assisted outpatient behavioral 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 facility providing intensive treatment is certified to provide such treatment by the department or under RCW 71.05.745; and

(4)(a)(i) The professional staff of the facility or the designated crisis responder 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 by:

(A) One physician, physician assistant, or psychiatric advanced registered nurse practitioner; and

(B) One physician, physician assistant, psychiatric advanced registered nurse practitioner, or mental health professional.

(ii) If the petition is for substance use disorder treatment, the petition may be signed by a ~~((chemical dependency))~~ substance use disorder professional instead of a mental health professional and by an advanced registered nurse practitioner instead of a psychiatric advanced registered nurse practitioner. The persons signing the petition must have examined the person.

(b) If involuntary detention is sought the petition shall state facts that support the finding that such person, as a result of a ~~((mental disorder or substance use))~~ behavioral health 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 a ~~((mental disorder or as a result of a substance use))~~ behavioral health disorder, presents a likelihood of serious harm, is gravely disabled, or is in need of assisted outpatient behavioral health treatment, and shall set forth any recommendations for less restrictive alternative treatment services; and

(5) A copy of the petition has been served on the detained 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 for mental health treatment; and

(8) At the conclusion of the initial commitment period, the professional staff of the agency or facility or the designated crisis responder 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. 66. RCW 71.05.230 and 2018 c 291 s 6 are each amended to read as follows:

A person detained for ~~((seventy-two))~~ one hundred twenty hour evaluation and treatment may be committed for not more than fourteen additional days of involuntary intensive treatment or ninety additional days of a less restrictive alternative treatment. A petition may only be filed if the following conditions are met:

(1) The professional staff of the facility providing evaluation services has analyzed the person's condition and finds that the condition is caused by ~~((mental disorder or substance use))~~ a behavioral health disorder and results in: (a) A likelihood of serious harm~~((results in))~~; (b) the person being gravely disabled~~((;))~~; or ~~((results in))~~ (c) the person being in need of assisted outpatient behavioral 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 facility providing intensive treatment is certified to provide such treatment by the department or under RCW 71.05.745; and

(4)(a)(i) The professional staff of the facility or the designated crisis responder 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 by:

(A) One physician, physician assistant, or psychiatric advanced registered nurse practitioner; and

(B) One physician, physician assistant, psychiatric advanced registered nurse practitioner, or mental health professional.

(ii) If the petition is for substance use disorder treatment, the petition may be signed by a ~~((chemical dependency))~~ substance use disorder professional instead of a mental health professional and by an advanced registered nurse practitioner instead of a psychiatric advanced registered nurse practitioner. The persons signing the petition must have examined the person.

(b) If involuntary detention is sought the petition shall state facts that support the finding that such person, as a result of a ~~((mental disorder or substance use))~~ behavioral health disorder, presents a likelihood of serious harm, or is gravely disabled and

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

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 a ~~((mental disorder or as a result of a substance use))~~ behavioral health disorder, presents a likelihood of serious harm, is gravely disabled, or is in need of assisted outpatient behavioral health treatment, and shall set forth any recommendations for less restrictive alternative treatment services; and

(5) A copy of the petition has been served on the detained 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 for mental health treatment; and

(8) At the conclusion of the initial commitment period, the professional staff of the agency or facility or the designated crisis responder 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. 67. RCW 71.05.235 and 2016 sp.s. c 29 s 231 are each amended to read as follows:

(1) If an individual is referred to a designated crisis responder under RCW 10.77.088~~((1)(e)(ii))~~ (2)(d)(i), the designated crisis responder shall examine the individual within forty-eight hours. If the designated crisis responder determines it is not appropriate to detain the individual or petition for a ninety-day less restrictive alternative under RCW 71.05.230(4), that decision shall be immediately presented to the superior court for hearing. The court shall hold a hearing to consider the decision of the designated crisis responder not later than the next judicial day. At the hearing the superior court shall review the determination of the designated crisis responder and determine whether an order should be entered requiring the person to be evaluated at an evaluation and treatment facility. No person referred to an evaluation and treatment facility may be held at the facility longer than seventy-two hours.

(2) If an individual is placed in an evaluation and treatment facility under RCW 10.77.088~~((1)(e)(ii))~~ (2)(d)(ii), a professional person shall evaluate the individual for purposes of determining whether to file a ninety-day inpatient or outpatient petition under this chapter. Before expiration of the seventy-two hour evaluation period authorized under RCW 10.77.088~~((1)(e)(ii))~~ (2)(d)(ii), the professional person shall file a petition or, if the recommendation of the professional person is to release the individual, present his or her recommendation to the superior court of the county in which the criminal charge was dismissed. The superior court shall review the recommendation not later than forty-eight hours, excluding Saturdays, Sundays, and holidays, after the recommendation is presented. If the court rejects the recommendation to unconditionally release the individual, the court may order the individual detained at a designated evaluation and treatment facility for not more than a

seventy-two hour evaluation and treatment period ~~((and direct the individual to appear at a surety hearing before that court within seventy-two hours, or the court may release the individual but direct the individual to appear at a surety hearing set before that court within eleven days, at which time the prosecutor may file a petition under this chapter for ninety-day inpatient or outpatient treatment. If a petition is filed by the prosecutor, the court may order that the person named in the petition be detained at the evaluation and treatment facility that performed the evaluation under this subsection or order the respondent to be in outpatient treatment. If a petition is filed but the individual fails to appear in court for the surety hearing, the court shall order that a mental health professional or peace officer shall take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility to be brought before the court the next judicial day after detention)).~~ If the evaluation and treatment facility files a ninety-day petition within the seventy-two hour period, the clerk shall set a hearing after the day of filing consistent with RCW 71.05.300. Upon the individual's first appearance in court after a petition has been filed, proceedings under RCW 71.05.310 and 71.05.320 shall commence. For an individual subject to this subsection, the ~~((prosecutor or))~~ professional person may directly file a petition for ninety-day inpatient or outpatient treatment and no petition for initial detention or fourteen-day detention is required before such a petition may be filed.

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

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

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

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

Sec. 68. RCW 71.05.235 and 2016 sp.s. c 29 s 231 are each amended to read as follows:

(1) If an individual is referred to a designated crisis responder under RCW 10.77.088~~((1)(e)(ii))~~ (2)(d)(i), the designated crisis responder shall examine the individual within forty-eight hours. If the designated crisis responder determines it is not appropriate to detain the individual or petition for a ninety-day less restrictive alternative under RCW 71.05.230(4), that decision shall be immediately presented to the superior court for hearing. The court shall hold a hearing to consider the decision of the designated crisis responder not later than the next judicial day. At the hearing the superior court shall review the determination of the designated

crisis responder and determine whether an order should be entered requiring the person to be evaluated at an evaluation and treatment facility. No person referred to an evaluation and treatment facility may be held at the facility longer than ~~((seventy-two))~~ one hundred twenty hours.

(2) If an individual is placed in an evaluation and treatment facility under RCW 10.77.088~~((1)(e)(ii))~~ (2)(d)(ii), a professional person shall evaluate the individual for purposes of determining whether to file a ninety-day inpatient or outpatient petition under this chapter. Before expiration of the ~~((seventy-two))~~ one hundred twenty hour evaluation period authorized under RCW 10.77.088~~((1)(e)(ii))~~ (2)(d)(ii), the professional person shall file a petition or, if the recommendation of the professional person is to release the individual, present his or her recommendation to the superior court of the county in which the criminal charge was dismissed. The superior court shall review the recommendation not later than forty-eight hours, excluding Saturdays, Sundays, and holidays, after the recommendation is presented. If the court rejects the recommendation to unconditionally release the individual, the court may order the individual detained at a designated evaluation and treatment facility for not more than a ~~((seventy-two))~~ one hundred twenty hour evaluation and treatment period ~~((and direct the individual to appear at a surety hearing before that court within seventy-two hours, or the court may release the individual but direct the individual to appear at a surety hearing set before that court within eleven days, at which time the prosecutor may file a petition under this chapter for ninety day inpatient or outpatient treatment. If a petition is filed by the prosecutor, the court may order that the person named in the petition be detained at the evaluation and treatment facility that performed the evaluation under this subsection or order the respondent to be in outpatient treatment. If a petition is filed but the individual fails to appear in court for the surety hearing, the court shall order that a mental health professional or peace officer shall take such person or cause such person to be taken into custody and placed in an evaluation and treatment facility to be brought before the court the next judicial day after detention)).~~ If the evaluation and treatment facility files a ninety-day petition within the one hundred twenty hour period, the clerk shall set a hearing after the day of filing consistent with RCW 71.05.300. Upon the individual's first appearance in court after a petition has been filed, proceedings under RCW 71.05.310 and 71.05.320 shall commence. For an individual subject to this subsection, the ~~((prosecutor or))~~ professional person may directly file a petition for ninety-day inpatient or outpatient treatment and no petition for initial detention or fourteen-day detention is required before such a petition may be filed.

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

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

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

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

NEW SECTION. Sec. 69. A new section is added to chapter 71.05 RCW to read as follows:

(1) In any proceeding for involuntary commitment under this chapter, the court may continue or postpone such proceeding for a reasonable time on motion of the respondent for good cause, or on motion of the prosecuting attorney or the attorney general if:

(a) The respondent expressly consents to a continuance or delay and there is a showing of good cause; or

(b) Such continuance is required in the proper administration of justice and the respondent will not be substantially prejudiced in the presentation of the respondent's case.

(2) The court may on its own motion continue the case when required in due administration of justice and when the respondent will not be substantially prejudiced in the presentation of the respondent's case.

(3) The court shall state in any order of continuance or postponement the grounds for the continuance or postponement and whether detention will be extended.

Sec. 70. RCW 71.05.240 and 2019 c 446 s 11 are each amended to read as follows:

(1) If a petition is filed for fourteen day involuntary treatment or ninety days of less restrictive alternative treatment, the court shall hold a probable cause hearing within seventy-two hours of the initial detention of such person as determined in RCW 71.05.180, or at a time determined under RCW 71.05.148. ~~((If requested by the person or his or her attorney, the hearing may be postponed for a period not to exceed forty eight hours. The hearing may also be continued subject to the conditions set forth in RCW 71.05.210 or subject to the petitioner's showing of good cause for a period not to exceed twenty four hours.))~~

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

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

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

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

~~(b) ((Commitment for up to fourteen days based on a substance use disorder must be to either a secure withdrawal management and stabilization facility or an approved substance use disorder treatment program.)) A court may only ((enter a commitment)) order ((based on a substance use disorder if there is an available)) commitment to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program if there is an available facility with adequate space for the person.~~

(c) At the conclusion of the probable cause hearing, if the court finds by a preponderance of the evidence that such person, as the result of a ~~((mental disorder or substance use))~~ behavioral health disorder, presents a likelihood of serious harm~~((;))~~ or is gravely disabled, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive alternative course of treatment for ~~((not to exceed))~~ up to ninety days.

(d) If the court finds by a preponderance of the evidence that such person, as the result of a ~~((mental disorder or substance use))~~ behavioral health disorder, is in need of assisted outpatient behavioral health treatment, and that the person does not present a likelihood of serious harm ~~((or grave disability))~~ and is not gravely disabled, the court shall order an appropriate less restrictive alternative course of treatment ~~((not to exceed))~~ for up to ninety days.

~~((4))~~ (5) An order for less restrictive alternative treatment must name the ~~((mental))~~ behavioral health service provider responsible for identifying the services the person will receive in accordance with RCW 71.05.585, and must include a requirement that the person cooperate with the ~~((services planned by))~~ treatment recommendations of the ~~((mental))~~ behavioral health service provider.

~~((5))~~ (6) The court shall ~~((specifically state to such person and give such person notice))~~ notify the person orally and in writing that if involuntary treatment is sought beyond the fourteen-day ~~((period))~~ inpatient or ~~((beyond the))~~ ninety-day((s-of)) less restrictive treatment ~~((is to be sought))~~ period, ~~((such))~~ the person ~~((will have))~~ has the right to a full hearing or jury trial ~~((as required by))~~ under RCW 71.05.310. If the commitment is for mental health treatment, the court shall also ~~((state to))~~ notify the person ~~((and provide written notice))~~ orally and in writing that the person is barred from the possession of firearms and that the prohibition remains in effect until a court restores his or her right to possess a firearm under RCW 9.41.047.

Sec. 71. RCW 71.05.240 and 2019 c 446 s 11 are each amended to read as follows:

(1) If a petition is filed for fourteen day involuntary treatment or ninety days of less restrictive alternative treatment, the court shall hold a probable cause hearing within ~~((seventy-two))~~ one hundred twenty hours of the initial detention of such person as determined in RCW 71.05.180, or at a time determined under RCW 71.05.148. ~~((If requested by the person or his or her attorney, the hearing may be postponed for a period not to exceed forty-eight hours. The hearing may also be continued subject to the conditions set forth in RCW 71.05.210 or subject to the petitioner's showing of good cause for a period not to exceed twenty-four hours.))~~

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

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

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

~~(b) ((Commitment for up to fourteen days based on a substance use disorder must be to either a secure withdrawal management and stabilization facility or an approved substance use disorder treatment program.)) A court may only ((enter a commitment)) order ((based on a substance use disorder if there is an available)) commitment to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program if there is an available facility with adequate space for the person.~~

(c) At the conclusion of the probable cause hearing, if the court finds by a preponderance of the evidence that such person, as the result of a ~~((mental disorder or substance use))~~ behavioral health disorder, presents a likelihood of serious harm~~((;))~~ or is gravely disabled, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive alternative course of treatment for ~~((not to exceed))~~ up to ninety days.

(d) If the court finds by a preponderance of the evidence that such person, as the result of a ~~((mental disorder or substance use))~~ behavioral health disorder, is in need of assisted outpatient behavioral health treatment, and that the person does not present a likelihood of serious harm ~~((or grave disability))~~ and is not gravely disabled, the court shall order an appropriate less restrictive alternative course of treatment ~~((not to exceed))~~ for up to ninety days.

~~((4))~~ (5) An order for less restrictive alternative treatment must name the ~~((mental))~~ behavioral health service provider responsible for identifying the services the person will receive in accordance with RCW 71.05.585, and must include a requirement that the person cooperate with the ~~((services planned by))~~ treatment recommendations of the ~~((mental))~~ behavioral health service provider.

~~((5))~~ (6) The court shall ~~((specifically state to such person and give such person notice))~~ notify the person orally and in writing that if involuntary treatment is sought beyond the fourteen-day ~~((period))~~ inpatient or ~~((beyond the))~~ ninety-day((s-of)) less restrictive treatment ~~((is to be sought))~~ period, ~~((such))~~ the person ~~((will have))~~ has the right to a full hearing or jury trial ~~((as required by))~~ under RCW 71.05.310. If the commitment is for mental health treatment, the court shall also ~~((state to))~~ notify the person ~~((and provide written notice))~~ orally and in writing that the person is barred from the possession of firearms and that the prohibition remains in effect until a court restores his or her right to possess a firearm under RCW 9.41.047.

Sec. 72. RCW 71.05.240 and 2019 c 446 s 12 are each amended to read as follows:

(1) If a petition is filed for fourteen day involuntary treatment or ninety days of less restrictive alternative treatment, the court shall hold a probable cause hearing within ~~((seventy-two))~~ one hundred twenty hours of the initial detention of such person as determined in RCW 71.05.180, or at a time determined under RCW 71.05.148. ~~((If requested by the person or his or her attorney, the hearing may be postponed for a period not to exceed forty-eight hours. The hearing may also be continued subject to the conditions set forth in RCW 71.05.210 or subject to the petitioner's showing of good cause for a period not to exceed twenty-four hours.))~~

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

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

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

~~((b))~~ ((Commitment for up to fourteen days based on a substance use disorder must be to either a secure withdrawal management and stabilization facility or an approved substance use disorder treatment program.

~~((e))~~ At the conclusion of the probable cause hearing, if the court finds by a preponderance of the evidence that such person, as the result of a ((mental disorder or substance use)) behavioral health disorder, presents a likelihood of serious harm((s)) or is gravely disabled, but that treatment in a less restrictive setting than detention is in the best interest of such person or others, the court shall order an appropriate less restrictive alternative course of treatment for ((not to exceed)) up to ninety days.

~~((4))~~ (c) If the court finds by a preponderance of the evidence that such person, as the result of a ((mental disorder or substance use)) behavioral health disorder, is in need of assisted outpatient behavioral health treatment, and that the person does not present a likelihood of serious harm ((or grave disability)) and is not gravely disabled, the court shall order an appropriate less restrictive alternative course of treatment ((not to exceed)) for up to ninety days.

~~((4))~~ (5) An order for less restrictive alternative treatment must name the ((mental)) behavioral health service provider responsible for identifying the services the person will receive in accordance with RCW 71.05.585, and must include a requirement that the person cooperate with the ((services planned by)) treatment recommendations of the ((mental)) behavioral health service provider.

~~((5))~~ (6) The court shall ((specifically state to such person and give such person notice)) notify the person orally and in writing that if involuntary treatment is sought beyond the fourteen-day ((period)) inpatient or ~~((beyond the))~~ ninety-day((s-of)) less restrictive treatment ~~((is to be sought))~~ period, such person ~~((will have))~~ has the right to a full hearing or jury trial ~~((as required by))~~ under RCW 71.05.310. If the commitment is for mental health treatment, the court shall also ~~((state to))~~ notify the person ~~((and provide written notice))~~ orally and in writing that the person is barred from the possession of firearms and that the prohibition remains in effect until a court restores his or her right to possess a firearm under RCW 9.41.047.

Sec. 73. RCW 71.05.280 and 2018 c 291 s 15 are each amended to read as follows:

At the expiration of the fourteen-day period of intensive treatment, a person may be committed for further treatment pursuant to RCW 71.05.320 if:

(1) Such person after having been taken into custody for evaluation and treatment has threatened, attempted, or inflicted: (a) Physical harm upon the person of another or himself or herself, or substantial damage upon the property of another, and (b) as a result of ~~((mental disorder or substance use))~~ a behavioral health disorder presents a likelihood of serious harm; or

(2) Such person was taken into custody as a result of conduct in which he or she attempted or inflicted physical harm upon the person of another or himself or herself, or substantial damage upon the property of others, and continues to present, as a result of ~~((mental disorder or substance use))~~ a behavioral health disorder, a likelihood of serious harm; or

(3) Such person has been determined to be incompetent and criminal charges have been dismissed pursuant to RCW 10.77.086(4), and has committed acts constituting a felony, and as a result of a ~~((mental))~~ behavioral health disorder, presents a substantial likelihood of repeating similar acts.

(a) In any proceeding pursuant to this subsection it shall not be necessary to show intent, willfulness, or state of mind as an element of the crime;

(b) For any person subject to commitment under this subsection where the charge underlying the finding of incompetence is for a felony classified as violent under RCW 9.94A.030, the court shall determine whether the acts the person committed constitute a violent offense under RCW 9.94A.030; or

(4) Such person is gravely disabled; or

(5) Such person is in need of assisted outpatient behavioral health treatment.

Sec. 74. RCW 71.05.290 and 2017 3rd sp.s. c 14 s 18 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 crisis responder 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)(a)(i) 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) One physician, physician assistant, or psychiatric advanced registered nurse practitioner; and

(B) One physician, physician assistant, psychiatric advanced registered nurse practitioner, or mental health professional.

(ii) If the petition is for substance use disorder treatment, the petition may be signed by a ~~((chemical dependency))~~ substance use disorder professional instead of a mental health professional and by an advanced registered nurse practitioner instead of a psychiatric advanced registered nurse practitioner.

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

(b) 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 any recommendations for less restrictive alternative treatment services.

(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 crisis responder may directly file a petition for one hundred eighty-day treatment under RCW 71.05.280(3), or for ninety-day treatment under RCW 71.05.280 (1), (2), (4), or (5). No petition for initial detention or fourteen day detention is required before such a petition may be filed.

Sec. 75. RCW 71.05.300 and 2019 c 325 s 3007 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))~~ trial setting date as provided in RCW 71.05.310 on the next judicial day after the date of filing the petition and notify the designated crisis responder. The designated crisis responder 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 administrative services organization administrator, and provide a copy of the petition to such persons as soon as possible. The behavioral health administrative services 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 attorney for 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, if the petition is for commitment for mental health treatment, 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, psychiatrist, or other professional person, 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. 76. RCW 71.05.310 and 2012 c 256 s 8 are each amended to read as follows:

The court shall ~~((conduct))~~ set a hearing on the petition for ninety-day or one hundred eighty-day treatment within five judicial days of the ~~((first court appearance after the probable~~

~~cause hearing))~~ trial setting hearing, or within ten judicial days for a petition filed under RCW 71.05.280(3). The court may continue the hearing ~~((for good cause upon the written request of the person named in the petition or the person's attorney. The court may continue for good cause the hearing on a petition filed under RCW 71.05.280(3) upon written request by the person named in the petition, the person's attorney, or the petitioner))~~ in accordance with section 37 of this act. If the person named in the petition requests a jury trial, the trial ~~((shall commence))~~ must be set within ten judicial days of the ~~((first court appearance after the probable cause hearing))~~ next judicial day after the date of filing the petition. The burden of proof shall be by clear, cogent, and convincing evidence and shall be upon the petitioner. The person ~~((shall))~~ has the right to be present at such proceeding, which shall in all respects accord with the constitutional guarantees of due process of law and the rules of evidence ~~((pursuant to RCW 71.05.360 (8) and (9))~~ under RCW 71.05.217.

During the proceeding, the person named in the petition shall continue to be treated until released by order of the superior court or discharged by the medical provider. If ~~((no order has been made))~~ the hearing has not commenced within thirty days after the filing of the petition, not including extensions of time ~~((requested by the detained person or his or her attorney, or the petitioner in the case of a petition filed under RCW 71.05.280(3))~~ ordered under section 37 of this act, the detained person shall be released.

Sec. 77. RCW 71.05.320 and 2018 c 201 s 3012 are each amended to read as follows:

(1)(a) Subject to (b) of this subsection, if the court or jury finds that grounds set forth in RCW 71.05.280 have been proven and that the best interests of the person or others will not be served by a less restrictive treatment which is an alternative to detention, the court shall remand him or her to the custody of the department of social and health services or to a facility certified for ninety day treatment by the department for a further period of intensive treatment not to exceed ninety days from the date of judgment.

(b) If the order for inpatient treatment is based on a substance use disorder, ~~((treatment must take place at an approved substance use disorder treatment program.))~~ the court may only enter an order for commitment ~~((based on a substance use disorder))~~ if there is an available ~~((approved substance use disorder))~~ treatment program with adequate space for the person.

(c) If the grounds set forth in RCW 71.05.280(3) are the basis of commitment, then the period of treatment may be up to but not exceed one hundred eighty days from the date of judgment to the custody of the department of social and health services or to a facility certified for one hundred eighty-day treatment by the department or under RCW 71.05.745.

(2) If the court or jury finds that grounds set forth in RCW 71.05.280 have been proven, but finds that treatment less restrictive than detention will be in the best interest of the person or others, then the court shall remand him or her to the custody of the department of social and health services or to a facility certified for ninety day treatment by the department or to a less restrictive alternative for a further period of less restrictive treatment not to exceed ninety days from the date of judgment. ~~((If the order for less restrictive treatment is based on a substance use disorder, treatment must be provided by an approved substance use disorder treatment program.))~~ If the grounds set forth in RCW 71.05.280(3) are the basis of commitment, then the period of treatment may be up to but not exceed one hundred eighty days from the date of judgment. If the court or jury finds that the grounds set forth in RCW 71.05.280(5) have been proven, and provide the only basis for commitment, the court must enter an order for less restrictive alternative treatment for up to ninety

days from the date of judgment and may not order inpatient treatment.

(3) An order for less restrictive alternative treatment entered under subsection (2) of this section must name the ~~((mental))~~ behavioral health service provider responsible for identifying the services the person will receive in accordance with RCW 71.05.585, and must include a requirement that the person cooperate with the services planned by the ~~((mental))~~ behavioral health service provider.

(4) The person shall be released from involuntary treatment at the expiration of the period of commitment imposed under subsection (1) or (2) of this section unless the superintendent or professional person in charge of the facility in which he or she is confined, or in the event of a less restrictive alternative, the designated crisis responder, files a new petition for involuntary treatment on the grounds that the committed person:

(a) During the current period of court ordered treatment: (i) Has threatened, attempted, or inflicted physical harm upon the person of another, or substantial damage upon the property of another, and (ii) as a result of a ~~((mental disorder, substance use))~~ behavioral health disorder~~(?)~~ or developmental disability presents a likelihood of serious harm; or

(b) Was taken into custody as a result of conduct in which he or she attempted or inflicted serious physical harm upon the person of another, and continues to present, as a result of ~~((mental disorder, substance use))~~ a behavioral health disorder~~(?)~~ or developmental disability, a likelihood of serious harm; or

(c)(i) Is in custody pursuant to RCW 71.05.280(3) and as a result of ~~((mental))~~ a behavioral health disorder or developmental disability continues to present a substantial likelihood of repeating acts similar to the charged criminal behavior, when considering the person's life history, progress in treatment, and the public safety.

(ii) In cases under this subsection where the court has made an affirmative special finding under RCW 71.05.280(3)(b), the commitment shall continue for up to an additional one hundred eighty-day period whenever the petition presents prima facie evidence that the person continues to suffer from a ~~((mental))~~ behavioral health disorder or developmental disability that results in a substantial likelihood of committing acts similar to the charged criminal behavior, unless the person presents proof through an admissible expert opinion that the person's condition has so changed such that the ~~((mental))~~ behavioral health disorder or developmental disability no longer presents a substantial likelihood of the person committing acts similar to the charged criminal behavior. The initial or additional commitment period may include transfer to a specialized program of intensive support and treatment, which may be initiated prior to or after discharge from the state hospital; or

(d) Continues to be gravely disabled; or

(e) Is in need of assisted outpatient ~~((mental))~~ behavioral health treatment.

If the conduct required to be proven in (b) and (c) of this subsection was found by a judge or jury in a prior trial under this chapter, it shall not be necessary to prove such conduct again.

If less restrictive alternative treatment is sought, the petition shall set forth any recommendations for less restrictive alternative treatment services.

(5) A new petition for involuntary treatment filed under subsection (4) of this section shall be filed and heard in the superior court of the county of the facility which is filing the new petition for involuntary treatment unless good cause is shown for a change of venue. The cost of the proceedings shall be borne by the state.

(6)(a) The hearing shall be held as provided in RCW 71.05.310, and if the court or jury finds that the grounds for additional

confinement as set forth in this section are present, subject to subsection (1)(b) of this section, the court may order the committed person returned for an additional period of treatment not to exceed one hundred eighty days from the date of judgment, except as provided in subsection (7) of this section. If the court's order is based solely on the grounds identified in subsection (4)(e) of this section, the court may enter an order for less restrictive alternative treatment not to exceed one hundred eighty days from the date of judgment, and may not enter an order for inpatient treatment. An order for less restrictive alternative treatment must name the ~~((mental))~~ behavioral health service provider responsible for identifying the services the person will receive in accordance with RCW 71.05.585, and must include a requirement that the person cooperate with the services planned by the ~~((mental))~~ behavioral health service provider.

(b) At the end of the one hundred eighty-day period of commitment, or one-year period of commitment if subsection (7) of this section applies, the committed person shall be released unless a petition for an additional one hundred eighty-day period of continued treatment is filed and heard in the same manner as provided in this section. Successive one hundred eighty-day commitments are permissible on the same grounds and pursuant to the same procedures as the original one hundred eighty-day commitment.

(7) An order for less restrictive treatment entered under subsection (6) of this section may be for up to one year when the person's previous commitment term was for intensive inpatient treatment in a state hospital.

(8) No person committed as provided in this section may be detained unless a valid order of commitment is in effect. No order of commitment can exceed one hundred eighty days in length except as provided in subsection (7) of this section.

Sec. 78. RCW 71.05.320 and 2018 c 201 s 3013 are each amended to read as follows:

(1) If the court or jury finds that grounds set forth in RCW 71.05.280 have been proven and that the best interests of the person or others will not be served by a less restrictive treatment which is an alternative to detention, the court shall remand him or her to the custody of the department of social and health services or to a facility certified for ninety day treatment by the department for a further period of intensive treatment not to exceed ninety days from the date of judgment.

If the ~~((order for inpatient treatment is based on a substance use disorder, treatment must take place at an approved substance use disorder treatment program. If the))~~ grounds set forth in RCW 71.05.280(3) are the basis of commitment, then the period of treatment may be up to but not exceed one hundred eighty days from the date of judgment to the custody of the department of social and health services or to a facility certified for one hundred eighty-day treatment by the department or under RCW 71.05.745.

(2) If the court or jury finds that grounds set forth in RCW 71.05.280 have been proven, but finds that treatment less restrictive than detention will be in the best interest of the person or others, then the court shall remand him or her to the custody of the department of social and health services or to a facility certified for ninety day treatment by the department or to a less restrictive alternative for a further period of less restrictive treatment not to exceed ninety days from the date of judgment. ~~((If the order for less restrictive treatment is based on a substance use disorder, treatment must be provided by an approved substance use disorder treatment program.))~~ If the grounds set forth in RCW 71.05.280(3) are the basis of commitment, then the period of treatment may be up to but not exceed one hundred eighty days from the date of judgment. If the court or jury finds that the grounds set forth in RCW 71.05.280(5) have been proven, and provide the only basis for commitment, the court must enter

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

an order for less restrictive alternative treatment for up to ninety days from the date of judgment and may not order inpatient treatment.

(3) An order for less restrictive alternative treatment entered under subsection (2) of this section must name the ~~((mental))~~ behavioral health service provider responsible for identifying the services the person will receive in accordance with RCW 71.05.585, and must include a requirement that the person cooperate with the services planned by the ~~((mental))~~ behavioral health service provider.

(4) The person shall be released from involuntary treatment at the expiration of the period of commitment imposed under subsection (1) or (2) of this section unless the superintendent or professional person in charge of the facility in which he or she is confined, or in the event of a less restrictive alternative, the designated crisis responder, files a new petition for involuntary treatment on the grounds that the committed person:

(a) During the current period of court ordered treatment: (i) Has threatened, attempted, or inflicted physical harm upon the person of another, or substantial damage upon the property of another, and (ii) as a result of a ~~((mental disorder, substance use))~~ behavioral health disorder~~((s))~~ or developmental disability presents a likelihood of serious harm; or

(b) Was taken into custody as a result of conduct in which he or she attempted or inflicted serious physical harm upon the person of another, and continues to present, as a result of ~~((mental disorder, substance use))~~ a behavioral health disorder~~((s))~~ or developmental disability, a likelihood of serious harm; or

(c)(i) Is in custody pursuant to RCW 71.05.280(3) and as a result of ~~((mental))~~ a behavioral health disorder or developmental disability continues to present a substantial likelihood of repeating acts similar to the charged criminal behavior, when considering the person's life history, progress in treatment, and the public safety.

(ii) In cases under this subsection where the court has made an affirmative special finding under RCW 71.05.280(3)(b), the commitment shall continue for up to an additional one hundred eighty-day period whenever the petition presents prima facie evidence that the person continues to suffer from a ~~((mental))~~ behavioral health disorder or developmental disability that results in a substantial likelihood of committing acts similar to the charged criminal behavior, unless the person presents proof through an admissible expert opinion that the person's condition has so changed such that the ~~((mental))~~ behavioral health disorder or developmental disability no longer presents a substantial likelihood of the person committing acts similar to the charged criminal behavior. The initial or additional commitment period may include transfer to a specialized program of intensive support and treatment, which may be initiated prior to or after discharge from the state hospital; or

(d) Continues to be gravely disabled; or

(e) Is in need of assisted outpatient ~~((mental))~~ behavioral health treatment.

If the conduct required to be proven in (b) and (c) of this subsection was found by a judge or jury in a prior trial under this chapter, it shall not be necessary to prove such conduct again.

If less restrictive alternative treatment is sought, the petition shall set forth any recommendations for less restrictive alternative treatment services.

(5) A new petition for involuntary treatment filed under subsection (4) of this section shall be filed and heard in the superior court of the county of the facility which is filing the new petition for involuntary treatment unless good cause is shown for a change of venue. The cost of the proceedings shall be borne by the state.

(6)(a) The hearing shall be held as provided in RCW 71.05.310, and if the court or jury finds that the grounds for additional confinement as set forth in this section are present, the court may order the committed person returned for an additional period of treatment not to exceed one hundred eighty days from the date of judgment, except as provided in subsection (7) of this section. If the court's order is based solely on the grounds identified in subsection (4)(e) of this section, the court may enter an order for less restrictive alternative treatment not to exceed one hundred eighty days from the date of judgment, and may not enter an order for inpatient treatment. An order for less restrictive alternative treatment must name the ~~((mental))~~ behavioral health service provider responsible for identifying the services the person will receive in accordance with RCW 71.05.585, and must include a requirement that the person cooperate with the services planned by the ~~((mental))~~ behavioral health service provider.

(b) At the end of the one hundred eighty-day period of commitment, or one-year period of commitment if subsection (7) of this section applies, the committed person shall be released unless a petition for an additional one hundred eighty-day period of continued treatment is filed and heard in the same manner as provided in this section. Successive one hundred eighty-day commitments are permissible on the same grounds and pursuant to the same procedures as the original one hundred eighty-day commitment.

(7) An order for less restrictive treatment entered under subsection (6) of this section may be for up to one year when the person's previous commitment term was for intensive inpatient treatment in a state hospital.

(8) No person committed as provided in this section may be detained unless a valid order of commitment is in effect. No order of commitment can exceed one hundred eighty days in length except as provided in subsection (7) of this section.

Sec. 79. RCW 71.05.380 and 2016 sp.s. c 29 s 245 are each amended to read as follows:

All persons voluntarily entering or remaining in any facility, institution, or hospital providing evaluation and treatment for ~~((mental disorders or substance use))~~ behavioral health disorders shall have no less than all rights secured to involuntarily detained persons by RCW ~~((71.05.360 and))~~ 71.05.217.

Sec. 80. RCW 71.05.445 and 2019 c 325 s 3009 are each amended to read as follows:

(1)(a) When a ~~((mental))~~ behavioral health service provider conducts its initial assessment for a person receiving court-ordered treatment, the service provider shall inquire and shall be told by the offender whether he or she is subject to supervision by the department of corrections.

(b) When a person receiving court-ordered treatment or treatment ordered by the department of corrections discloses to his or her ~~((mental))~~ behavioral health service provider that he or she is subject to supervision by the department of corrections, the ~~((mental))~~ behavioral health service provider shall notify the department of corrections that he or she is treating the offender and shall notify the offender that his or her community corrections officer will be notified of the treatment, provided that if the offender has received relief from disclosure pursuant to RCW 9.94A.562 or 71.05.132 and the offender has provided the ~~((mental))~~ behavioral health service provider with a copy of the order granting relief from disclosure pursuant to RCW 9.94A.562 or 71.05.132, the ~~((mental))~~ behavioral health service provider is not required to notify the department of corrections that the ~~((mental))~~ behavioral health service provider is treating the offender. The notification may be written or oral and shall not require the consent of the offender. If an oral notification is made, it must be confirmed by a written notification. For purposes of

this section, a written notification includes notification by email or facsimile, so long as the notifying ~~((mental))~~ behavioral health service provider is clearly identified.

(2) The information to be released to the department of corrections shall include all relevant records and reports, as defined by rule, necessary for the department of corrections to carry out its duties.

(3) The authority and the department of corrections, in consultation with behavioral health administrative services organizations, managed care organizations, ~~((mental))~~ behavioral health service providers as defined in RCW 71.05.020, ~~((mental))~~ behavioral health consumers, and advocates for persons with ~~((mental illness))~~ behavioral health disorders, shall adopt rules to implement the provisions of this section related to the type and scope of information to be released. These rules shall:

(a) Enhance and facilitate the ability of the department of corrections to carry out its responsibility of planning and ensuring community protection with respect to persons subject to sentencing under chapter 9.94A or 9.95 RCW, including accessing and releasing or disclosing information of persons who received ~~((mental))~~ behavioral health services as a minor; and

(b) Establish requirements for the notification of persons under the supervision of the department of corrections regarding the provisions of this section.

(4) The information received by the department of corrections under this section shall remain confidential and subject to the limitations on disclosure outlined in this chapter, except as provided in RCW 72.09.585.

(5) No ~~((mental))~~ behavioral health service provider or individual employed by a ~~((mental))~~ behavioral health service provider shall be held responsible for information released to or used by the department of corrections under the provisions of this section or rules adopted under this section.

(6) Whenever federal law or federal regulations restrict the release of information and records related to ~~((mental))~~ behavioral health services for any patient who receives treatment for alcoholism or drug dependency, the release of the information may be restricted as necessary to comply with federal law and regulations.

(7) This section does not modify the terms and conditions of disclosure of information related to sexually transmitted diseases under chapter 70.24 RCW.

(8) The authority shall, subject to available resources, electronically, or by the most cost-effective means available, provide the department of corrections with the names, last dates of services, and addresses of specific behavioral health administrative services organizations, managed care organizations, and ~~((mental))~~ behavioral health service providers that delivered ~~((mental))~~ behavioral health services to a person subject to chapter 9.94A or 9.95 RCW pursuant to an agreement between the authority and the department of corrections.

Sec. 81. RCW 71.05.455 and 2016 c 158 s 2 are each amended 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))~~ behavioral 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.

Sec. 82. RCW 71.05.457 and 2016 c 158 s 3 are each amended 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))~~ behavioral health agency after receiving a report of threatened or attempted suicide.

Sec. 83. RCW 71.05.525 and 2018 c 201 s 3024 are each amended to read as follows:

When, in the judgment of the department of social and health services, the welfare of any person committed to or confined in any state juvenile correctional institution or facility necessitates that such a person be transferred or moved for observation, diagnosis or treatment to any state institution or facility for the care of juveniles with ~~((mental illness))~~ behavioral health disorders the secretary of the department of social and health services, or his or her designee, is authorized to order and effect such move or transfer: PROVIDED, HOWEVER, That the secretary of the department of social and health services shall adopt and implement procedures to assure that persons so transferred shall, while detained or confined in such institution or facility for the care of juveniles with ~~((mental illness))~~ behavioral health disorders, be provided with substantially similar opportunities for parole or early release evaluation and determination as persons detained or confined in state juvenile correctional institutions or facilities: PROVIDED, FURTHER, That the secretary of the department of social and health services shall notify the original committing court of such transfer.

Sec. 84. RCW 71.05.530 and 2016 sp.s. c 29 s 247 are each amended to read as follows:

Evaluation and treatment facilities and secure ~~((detoxification))~~ withdrawal management and stabilization facilities authorized pursuant to this chapter may be part of the comprehensive community ~~((mental))~~ behavioral health services program conducted in counties pursuant to chapter 71.24 RCW, and may receive funding pursuant to the provisions thereof.

Sec. 85. RCW 71.05.585 and 2018 c 291 s 2 are each amended to read as follows:

(1) Less restrictive alternative treatment, at a minimum, includes the following services:

- (a) Assignment of a care coordinator;
- (b) An intake evaluation with the provider of the less restrictive alternative treatment;
- (c) A psychiatric evaluation;
- (d) A schedule of regular contacts with the provider of the less restrictive alternative treatment services for the duration of the order;
- (e) A transition plan addressing access to continued services at the expiration of the order;
- (f) An individual crisis plan; and
- (g) Notification to the care coordinator assigned in (a) of this subsection if reasonable efforts to engage the client fail to produce substantial compliance with court-ordered treatment conditions.

(2) Less restrictive alternative treatment may additionally include requirements to participate in the following services:

- (a) Medication management;
- (b) Psychotherapy;
- (c) Nursing;
- (d) Substance abuse counseling;
- (e) Residential treatment; and
- (f) Support for housing, benefits, education, and employment.

(3) If the person was provided with involuntary medication under RCW 71.05.215 or pursuant to a judicial order during the involuntary commitment period, the less restrictive alternative treatment order may authorize the less restrictive alternative treatment provider or its designee to administer involuntary antipsychotic medication to the person if the provider has attempted and failed to obtain the informed consent of the person and there is a concurring medical opinion approving the medication by a psychiatrist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

practitioner, or physician or physician assistant in consultation with an independent mental health professional with prescribing authority.

(4) Less restrictive alternative treatment must be administered by a provider that is certified or licensed to provide or coordinate the full scope of services required under the less restrictive alternative order and that has agreed to assume this responsibility.

~~((4))~~ (5) The care coordinator assigned to a person ordered to less restrictive alternative treatment must submit an individualized plan for the person's treatment services to the court that entered the order. An initial plan must be submitted as soon as possible following the intake evaluation and a revised plan must be submitted upon any subsequent modification in which a type of service is removed from or added to the treatment plan.

~~((5))~~ (6) For the purpose of this section, "care coordinator" means a clinical practitioner who coordinates the activities of less restrictive alternative treatment. The care coordinator coordinates activities with the designated crisis responders that are necessary for enforcement and continuation of less restrictive alternative orders and is responsible for coordinating service activities with other agencies and establishing and maintaining a therapeutic relationship with the individual on a continuing basis.

Sec. 86. RCW 71.05.590 and 2019 c 446 s 14 are each amended to read as follows:

(1) Either an agency or facility designated to monitor or provide services under a less restrictive alternative order or conditional release order, or a designated crisis responder, may take action to enforce, modify, or revoke a less restrictive alternative or conditional release order. The agency, facility, or designated crisis responder must determine that:

- (a) The person is failing to adhere to the terms and conditions of the court order;
- (b) Substantial deterioration in the person's functioning has occurred;
- (c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or
- (d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate to the circumstances and consistent with the interests of the individual and the public in personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

- (a) To counsel or advise the person as to their rights and responsibilities under the court order, and to offer appropriate incentives to motivate compliance;
- (b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;
- (c) To request a court hearing for review and modification of the court order. The request must be made to or by the court with jurisdiction over the order and specify the circumstances that give rise to the request and what modification is being sought. The county prosecutor shall assist the agency or facility in requesting this hearing and issuing an appropriate summons to the person. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;

(d) To cause the person to be transported by a peace officer, designated crisis responder, or other means to the agency or facility monitoring or providing services under the court order, or

to a triage facility, crisis stabilization unit, emergency department, ~~((or to an))~~ evaluation and treatment facility ~~((if the person is committed for mental health treatment)), ((or to a))~~ secure withdrawal management and stabilization facility with available space, or an approved substance use disorder treatment program with available space ~~((if the person is committed for substance use disorder treatment))~~. The person may be detained at the facility for up to twelve hours for the purpose of an evaluation to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to stabilize the person and prevent decompensation, deterioration, or physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when in the clinical judgment of a designated crisis responder or the professional person in charge of an agency or facility designated to monitor less restrictive alternative services temporary detention is appropriate. This subsection does not limit the ability or obligation to pursue revocation procedures under subsection (4) of this section in appropriate circumstances; and

(e) To initiate revocation procedures under subsection (4) of this section or, if the current commitment is solely based on the person being in need of assisted outpatient behavioral health treatment as defined in RCW 71.05.020, initiate initial inpatient detention procedures under subsection (6) of this section.

(3) The facility or agency designated to provide outpatient treatment shall notify the secretary of the department of social and health services or designated crisis responder when a person fails to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(4)(a) Except as provided in subsection (6) of this section, a designated crisis responder or the secretary of the department of social and health services may upon their own motion or notification by the facility or agency designated to provide outpatient care order a person subject to a court order under this chapter to be apprehended and taken into custody and temporary detention in an evaluation and treatment facility ~~((in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment, in a)), an available secure withdrawal management and stabilization facility with adequate space, or an available approved substance use disorder treatment program ((if either is available)) with adequate space, in or near the county in which he or she is receiving outpatient treatment ~~((and has adequate space))~~. Proceedings under this subsection (4) may be initiated without ordering the apprehension and detention of the person.~~

(b) Except as provided in subsection (6) of this section, a person detained under this subsection (4) must be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been released. If the person is not detained, the hearing must be scheduled within five days of service on the person. The designated crisis responder or the secretary of the department of social and health services may modify or rescind the order at any time prior to commencement of the court hearing.

(c) The designated crisis responder or secretary of the department of social and health services shall file a revocation petition and order of apprehension and detention with the court of the county where the person is currently located or being detained. The designated crisis responder shall serve the person and their attorney, guardian, and conservator, if any. The person

has the same rights with respect to notice, hearing, and counsel as in any involuntary treatment proceeding, except as specifically set forth in this section. There is no right to jury trial. The venue for proceedings is the county where the petition is filed. Notice of the filing must be provided to the court that originally ordered commitment, if different from the court where the petition for revocation is filed, within two judicial days of the person's detention.

(d) Except as provided in subsection (6) of this section, the issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the court order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether the court should reinstate or modify the person's less restrictive alternative or conditional release order or order the person's detention for inpatient treatment. The person may waive the court hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period (~~(may be for no longer than the period))~~ must be for fourteen days from the revocation hearing if the outpatient order was based on a petition under RCW 71.05.160 or 71.05.230. If the court orders detention for inpatient treatment and the outpatient order was based on a petition under RCW 71.05.290 or 71.05.320, the number of days remaining on the outpatient order must be converted to days of inpatient treatment authorized in the original court order. A court may not issue an order to detain a person for inpatient treatment in a secure withdrawal management and stabilization facility or approved substance use disorder treatment program under this subsection unless there is a secure withdrawal management and stabilization facility or approved substance use disorder treatment program available and with adequate space for the person.

(5) In determining whether or not to take action under this section the designated crisis responder, agency, or facility must consider the factors specified under RCW 71.05.212 and the court must consider the factors specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

(6)(a) If the current commitment is solely based on the person being in need of assisted outpatient behavioral health treatment as defined in RCW 71.05.020, a designated crisis responder may initiate inpatient detention procedures under RCW 71.05.150 or 71.05.153 when appropriate. A designated crisis responder or the secretary may, upon their own motion or notification by the facility or agency designated to provide outpatient care to a person subject to a less restrictive alternative treatment order under RCW 71.05.320 subsequent to an order for assisted outpatient behavioral health treatment entered under RCW 71.05.148, order the person to be apprehended and taken into custody and temporary detention for inpatient evaluation in an evaluation and treatment facility (~~(in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment, in a)~~ secure withdrawal management and stabilization facility, or in an approved substance use disorder treatment program ((if either is available)), in or near the county in which he or she is receiving outpatient treatment. Proceedings under this subsection may be initiated without ordering the apprehension and detention of the person.

(b) A person detained under this subsection may be held for evaluation for up to seventy-two hours, excluding weekends and holidays, pending a court hearing. If the person is not detained,

the hearing must be scheduled within seventy-two hours of service on the person. The designated crisis responder or the secretary may modify or rescind the order at any time prior to commencement of the court hearing.

(c) The issues for the court to determine are whether to continue the detention of the person for inpatient treatment or whether the court should reinstate or modify the person's less restrictive alternative order or order the person's detention for inpatient treatment. To continue detention after the seventy-two hour period, the court must find that the person, as a result of a (~~mental disorder or substance use~~) behavioral health disorder, presents a likelihood of serious harm or is gravely disabled and, after considering less restrictive alternatives to involuntary detention and treatment, that no such alternatives are in the best interest of the person or others.

(d) A court may not issue an order to detain a person for inpatient treatment in a secure withdrawal management and stabilization facility or approved substance use disorder program under this subsection unless there is a secure withdrawal management and stabilization facility or approved substance use disorder treatment program available and with adequate space for the person.

Sec. 87. RCW 71.05.590 and 2019 c 446 s 14 are each amended to read as follows:

(1) Either an agency or facility designated to monitor or provide services under a less restrictive alternative order or conditional release order, or a designated crisis responder, may take action to enforce, modify, or revoke a less restrictive alternative or conditional release order. The agency, facility, or designated crisis responder must determine that:

(a) The person is failing to adhere to the terms and conditions of the court order;

(b) Substantial deterioration in the person's functioning has occurred;

(c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or

(d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate to the circumstances and consistent with the interests of the individual and the public in personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

(a) To counsel or advise the person as to their rights and responsibilities under the court order, and to offer appropriate incentives to motivate compliance;

(b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;

(c) To request a court hearing for review and modification of the court order. The request must be made to or by the court with jurisdiction over the order and specify the circumstances that give rise to the request and what modification is being sought. The county prosecutor shall assist the agency or facility in requesting this hearing and issuing an appropriate summons to the person. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;

(d) To cause the person to be transported by a peace officer, designated crisis responder, or other means to the agency or facility monitoring or providing services under the court order, or to a triage facility, crisis stabilization unit, emergency

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

department, ~~((or to an))~~ evaluation and treatment facility ~~((if the person is committed for mental health treatment)), ((or to a))~~ secure withdrawal management and stabilization facility with available space, or an approved substance use disorder treatment program with available space ~~((if the person is committed for substance use disorder treatment))~~. The person may be detained at the facility for up to twelve hours for the purpose of an evaluation to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to stabilize the person and prevent decompensation, deterioration, or physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when in the clinical judgment of a designated crisis responder or the professional person in charge of an agency or facility designated to monitor less restrictive alternative services temporary detention is appropriate. This subsection does not limit the ability or obligation to pursue revocation procedures under subsection (4) of this section in appropriate circumstances; and

(e) To initiate revocation procedures under subsection (4) of this section or, if the current commitment is solely based on the person being in need of assisted outpatient behavioral health treatment as defined in RCW 71.05.020, initiate initial inpatient detention procedures under subsection (6) of this section.

(3) The facility or agency designated to provide outpatient treatment shall notify the secretary of the department of social and health services or designated crisis responder when a person fails to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(4)(a) Except as provided in subsection (6) of this section, a designated crisis responder or the secretary of the department of social and health services may upon their own motion or notification by the facility or agency designated to provide outpatient care order a person subject to a court order under this chapter to be apprehended and taken into custody and temporary detention in an evaluation and treatment facility ~~((in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment, in a)), an available~~ secure withdrawal management and stabilization facility with adequate space, or an available approved substance use disorder treatment program ~~((if either is available))~~ with adequate space, in or near the county in which he or she is receiving outpatient treatment ~~((and has adequate space))~~. Proceedings under this subsection (4) may be initiated without ordering the apprehension and detention of the person.

(b) Except as provided in subsection (6) of this section, a person detained under this subsection (4) must be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been released. If the person is not detained, the hearing must be scheduled within five days of service on the person. The designated crisis responder or the secretary of the department of social and health services may modify or rescind the order at any time prior to commencement of the court hearing.

(c) The designated crisis responder or secretary of the department of social and health services shall file a revocation petition and order of apprehension and detention with the court of the county where the person is currently located or being detained. The designated crisis responder shall serve the person and their attorney, guardian, and conservator, if any. The person has the same rights with respect to notice, hearing, and counsel as

in any involuntary treatment proceeding, except as specifically set forth in this section. There is no right to jury trial. The venue for proceedings is the county where the petition is filed. Notice of the filing must be provided to the court that originally ordered commitment, if different from the court where the petition for revocation is filed, within two judicial days of the person's detention.

(d) Except as provided in subsection (6) of this section, the issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the court order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether the court should reinstate or modify the person's less restrictive alternative or conditional release order or order the person's detention for inpatient treatment. The person may waive the court hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period ~~((may be for no longer than the period))~~ must be for fourteen days from the revocation hearing if the outpatient order was based on a petition under RCW 71.05.160 or 71.05.230. If the court orders detention for inpatient treatment and the outpatient order was based on a petition under RCW 71.05.290 or 71.05.320, the number of days remaining on the outpatient order must be converted to days of inpatient treatment authorized in the original court order. A court may not issue an order to detain a person for inpatient treatment in a secure withdrawal management and stabilization facility or approved substance use disorder treatment program under this subsection unless there is a secure withdrawal management and stabilization facility or approved substance use disorder treatment program available and with adequate space for the person.

(5) In determining whether or not to take action under this section the designated crisis responder, agency, or facility must consider the factors specified under RCW 71.05.212 and the court must consider the factors specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

(6)(a) If the current commitment is solely based on the person being in need of assisted outpatient behavioral health treatment as defined in RCW 71.05.020, a designated crisis responder may initiate inpatient detention procedures under RCW 71.05.150 or 71.05.153 when appropriate. A designated crisis responder or the secretary may, upon their own motion or notification by the facility or agency designated to provide outpatient care to a person subject to a less restrictive alternative treatment order under RCW 71.05.320 subsequent to an order for assisted outpatient behavioral health treatment entered under RCW 71.05.148, order the person to be apprehended and taken into custody and temporary detention for inpatient evaluation in an evaluation and treatment facility ~~((in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment, in a)), secure~~ withdrawal management and stabilization facility, or in an approved substance use disorder treatment program ~~((if either is available))~~, in or near the county in which he or she is receiving outpatient treatment. Proceedings under this subsection may be initiated without ordering the apprehension and detention of the person.

(b) A person detained under this subsection may be held for evaluation for up to ~~((seventy-two))~~ one hundred twenty hours, excluding weekends and holidays, pending a court hearing. If the

person is not detained, the hearing must be scheduled within ~~((seventy-two))~~ one hundred twenty hours of service on the person. The designated crisis responder or the secretary may modify or rescind the order at any time prior to commencement of the court hearing.

(c) The issues for the court to determine are whether to continue the detention of the person for inpatient treatment or whether the court should reinstate or modify the person's less restrictive alternative order or order the person's detention for inpatient treatment. To continue detention after the ~~((seventy-two))~~ one hundred twenty hour period, the court must find that the person, as a result of a ~~((mental disorder or substance use))~~ behavioral health disorder, presents a likelihood of serious harm or is gravely disabled and, after considering less restrictive alternatives to involuntary detention and treatment, that no such alternatives are in the best interest of the person or others.

(d) A court may not issue an order to detain a person for inpatient treatment in a secure withdrawal management and stabilization facility or approved substance use disorder program under this subsection unless there is a secure withdrawal management and stabilization facility or approved substance use disorder treatment program available and with adequate space for the person.

Sec. 88. RCW 71.05.590 and 2019 c 446 s 15 are each amended to read as follows:

(1) Either an agency or facility designated to monitor or provide services under a less restrictive alternative order or conditional release order, or a designated crisis responder, may take action to enforce, modify, or revoke a less restrictive alternative or conditional release order. The agency, facility, or designated crisis responder must determine that:

(a) The person is failing to adhere to the terms and conditions of the court order;

(b) Substantial deterioration in the person's functioning has occurred;

(c) There is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further evaluation, intervention, or treatment; or

(d) The person poses a likelihood of serious harm.

(2) Actions taken under this section must include a flexible range of responses of varying levels of intensity appropriate to the circumstances and consistent with the interests of the individual and the public in personal autonomy, safety, recovery, and compliance. Available actions may include, but are not limited to, any of the following:

(a) To counsel or advise the person as to their rights and responsibilities under the court order, and to offer appropriate incentives to motivate compliance;

(b) To increase the intensity of outpatient services provided to the person by increasing the frequency of contacts with the provider, referring the person for an assessment for assertive community services, or by other means;

(c) To request a court hearing for review and modification of the court order. The request must be made to or by the court with jurisdiction over the order and specify the circumstances that give rise to the request and what modification is being sought. The county prosecutor shall assist the agency or facility in requesting this hearing and issuing an appropriate summons to the person. This subsection does not limit the inherent authority of a treatment provider to alter conditions of treatment for clinical reasons, and is intended to be used only when court intervention is necessary or advisable to secure the person's compliance and prevent decompensation or deterioration;

(d) To cause the person to be transported by a peace officer, designated crisis responder, or other means to the agency or facility monitoring or providing services under the court order, or

to a triage facility, crisis stabilization unit, emergency department, ~~((or to an))~~ evaluation and treatment facility ~~((if the person is committed for mental health treatment))~~, ~~((or to a))~~ secure withdrawal management and stabilization facility, or an approved substance use disorder treatment program ~~((if the person is committed for substance use disorder treatment))~~. The person may be detained at the facility for up to twelve hours for the purpose of an evaluation to determine whether modification, revocation, or commitment proceedings are necessary and appropriate to stabilize the person and prevent decompensation, deterioration, or physical harm. Temporary detention for evaluation under this subsection is intended to occur only following a pattern of noncompliance or the failure of reasonable attempts at outreach and engagement, and may occur only when in the clinical judgment of a designated crisis responder or the professional person in charge of an agency or facility designated to monitor less restrictive alternative services temporary detention is appropriate. This subsection does not limit the ability or obligation to pursue revocation procedures under subsection (4) of this section in appropriate circumstances; and

(e) To initiate revocation procedures under subsection (4) of this section or, if the current commitment is solely based on the person being in need of assisted outpatient behavioral health treatment as defined in RCW 71.05.020, initial inpatient detention procedures under subsection (6) of this section.

(3) The facility or agency designated to provide outpatient treatment shall notify the secretary of the department of social and health services or designated crisis responder when a person fails to adhere to terms and conditions of court ordered treatment or experiences substantial deterioration in his or her condition and, as a result, presents an increased likelihood of serious harm.

(4)(a) Except as provided in subsection (6) of this section, a designated crisis responder or the secretary of the department of social and health services may upon their own motion or notification by the facility or agency designated to provide outpatient care order a person subject to a court order under this chapter to be apprehended and taken into custody and temporary detention in an evaluation and treatment facility ~~((in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment))~~, in a secure withdrawal management and stabilization facility, or in an approved substance use disorder treatment program ~~((if either is available))~~, in or near the county in which he or she is receiving outpatient treatment. Proceedings under this subsection (4) may be initiated without ordering the apprehension and detention of the person.

(b) Except as provided in subsection (6) of this section, a person detained under this subsection (4) must be held until such time, not exceeding five days, as a hearing can be scheduled to determine whether or not the person should be returned to the hospital or facility from which he or she had been released. If the person is not detained, the hearing must be scheduled within five days of service on the person. The designated crisis responder or the secretary of the department of social and health services may modify or rescind the order at any time prior to commencement of the court hearing.

(c) The designated crisis responder or secretary of the department of social and health services shall file a revocation petition and order of apprehension and detention with the court of the county where the person is currently located or being detained. The designated crisis responder shall serve the person and their attorney, guardian, and conservator, if any. The person has the same rights with respect to notice, hearing, and counsel as in any involuntary treatment proceeding, except as specifically set forth in this section. There is no right to jury trial. The venue for

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

proceedings is the county where the petition is filed. Notice of the filing must be provided to the court that originally ordered commitment, if different from the court where the petition for revocation is filed, within two judicial days of the person's detention.

(d) Except as provided in subsection (6) of this section, the issues for the court to determine are whether: (i) The person adhered to the terms and conditions of the court order; (ii) substantial deterioration in the person's functioning has occurred; (iii) there is evidence of substantial decompensation with a reasonable probability that the decompensation can be reversed by further inpatient treatment; or (iv) there is a likelihood of serious harm; and, if any of the above conditions apply, whether the court should reinstate or modify the person's less restrictive alternative or conditional release order or order the person's detention for inpatient treatment. The person may waive the court hearing and allow the court to enter a stipulated order upon the agreement of all parties. If the court orders detention for inpatient treatment, the treatment period ~~((may be for no longer than the period))~~ must be for fourteen days from the revocation hearing if the outpatient order was based on a petition under RCW 71.05.160 or 71.05.230. If the court orders detention for inpatient treatment and the outpatient order was based on a petition under RCW 71.05.290 or 71.05.320, the number of days remaining on the outpatient order must be converted to days of inpatient treatment authorized in the original court order.

(5) In determining whether or not to take action under this section the designated crisis responder, agency, or facility must consider the factors specified under RCW 71.05.212 and the court must consider the factors specified under RCW 71.05.245 as they apply to the question of whether to enforce, modify, or revoke a court order for involuntary treatment.

(6)(a) If the current commitment is solely based on the person being in need of assisted outpatient behavioral health treatment as defined in RCW 71.05.020, a designated crisis responder may initiate inpatient detention procedures under RCW 71.05.150 or 71.05.153 when appropriate. A designated crisis responder or the secretary may, upon their own motion or notification by the facility or agency designated to provide outpatient care to a person subject to a less restrictive alternative treatment order under RCW 71.05.320 subsequent to an order for assisted outpatient behavioral health treatment entered under RCW 71.05.148, order the person to be apprehended and taken into custody and temporary detention for inpatient evaluation in an evaluation and treatment facility ~~((in or near the county in which he or she is receiving outpatient treatment if the person is committed for mental health treatment, or, if the person is committed for substance use disorder treatment)),~~ in a secure withdrawal management and stabilization facility, or in an approved substance use disorder treatment program ~~((if either is available)),~~ in or near the county in which he or she is receiving outpatient treatment. Proceedings under this subsection may be initiated without ordering the apprehension and detention of the person.

(b) A person detained under this subsection may be held for evaluation for up to ~~((seventy-two))~~ one hundred twenty hours, excluding weekends and holidays, pending a court hearing. The designated crisis responder or the secretary may modify or rescind the order at any time prior to commencement of the court hearing.

(c) The issues for the court to determine are whether to continue the detention of the person for inpatient treatment or whether the court should reinstate or modify the person's less restrictive alternative order or order the person's detention for inpatient treatment. To continue detention after the ~~((seventy-two))~~ one

hundred twenty hour period, the court must find that the person, as a result of a ~~((mental disorder or substance use))~~ behavioral health disorder, presents a likelihood of serious harm or is gravely disabled and, after considering less restrictive alternatives to involuntary detention and treatment, that no such alternatives are in the best interest of the person or others.

~~((d) A court may not issue an order to detain a person for inpatient treatment in a secure withdrawal management and stabilization facility or approved substance use disorder program under this subsection unless there is a secure withdrawal management and stabilization facility or approved substance use disorder treatment program available and with adequate space for the person.))~~

Sec. 89. RCW 71.05.720 and 2018 c 201 s 3029 are each amended to read as follows:

Annually, all community mental health employees who work directly with clients shall be provided with training on safety and violence prevention topics described in RCW 49.19.030. The curriculum for the training shall be developed collaboratively among the authority, the department, contracted ~~((mental))~~ behavioral health service providers, and employee organizations that represent community mental health workers.

Sec. 90. RCW 71.05.740 and 2019 c 325 s 3012 are each amended to read as follows:

All behavioral health administrative services organizations in the state of Washington must forward historical ~~((mental))~~ behavioral health involuntary commitment information retained by the organization, including identifying information and dates of commitment to the authority. As soon as feasible, the behavioral health administrative services organizations must arrange to report new commitment data to the authority within twenty-four hours. Commitment information under this section does not need to be resent if it is already in the possession of the authority. Behavioral health administrative services organizations and the authority shall be immune from liability related to the sharing of commitment information under this section.

Sec. 91. RCW 71.05.745 and 2018 c 201 s 3032 are each amended to read as follows:

(1) The authority may use a single bed certification process as outlined in rule to provide additional treatment capacity for a person suffering from a ~~((mental))~~ behavioral health disorder for whom an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program bed is not available. The facility that is the proposed site of the single bed certification must be a facility that is willing and able to provide the person with timely and appropriate treatment either directly or by arrangement with other public or private agencies.

(2) A single bed certification must be specific to the patient receiving treatment.

(3) A designated crisis responder who submits an application for a single bed certification for treatment at a facility that is willing and able to provide timely and appropriate mental health treatment in good faith belief that the single bed certification is appropriate may presume that the single bed certification will be approved for the purpose of completing the detention process and responding to other emergency calls.

(4) The authority may adopt rules implementing this section and continue to enforce rules it has already adopted except where inconsistent with this section.

Sec. 92. RCW 71.05.750 and 2019 c 325 s 3013 are each amended to read as follows:

(1) A designated crisis responder shall make a report to the authority when he or she determines a person meets detention criteria under RCW 71.05.150, 71.05.153, 71.34.700, or

71.34.710 and there are not any beds available at an evaluation and treatment facility, the person has not been provisionally accepted for admission by a facility, and the person cannot be served on a single bed certification or less restrictive alternative. Starting at the time when the designated crisis responder determines a person meets detention criteria and the investigation has been completed, the designated crisis responder has twenty-four hours to submit a completed report to the authority.

(2) The report required under subsection (1) of this section must contain at a minimum:

- (a) The date and time that the investigation was completed;
- (b) The identity of the responsible behavioral health administrative services organization and managed care organization, if applicable;
- (c) The county in which the person met detention criteria;
- (d) A list of facilities which refused to admit the person; and
- (e) Identifying information for the person, including age or date of birth.

(3) The authority shall develop a standardized reporting form or modify the current form used for single bed certifications for the report required under subsection (2) of this section and may require additional reporting elements as it determines are necessary or supportive. The authority shall also determine the method for the transmission of the completed report from the designated crisis responder to the authority.

(4) The authority shall create quarterly reports displayed on its web site that summarize the information reported under subsection (2) of this section. At a minimum, the reports must display data by county and by month. The reports must also include the number of single bed certifications granted by category. The categories must include all of the reasons that the authority recognizes for issuing a single bed certification, as identified in rule.

(5) The reports provided according to this section may not display "protected health information" as that term is used in the federal health insurance portability and accountability act of 1996, nor information contained in "mental health treatment records" or "behavioral health treatment records" as ~~((that term is))~~ these terms are used in chapter 70.02 RCW or elsewhere in state law, and must otherwise be compliant with state and federal privacy laws.

(6) For purposes of this section, the term "single bed certification" means a situation in which an adult on a seventy-two hour detention, fourteen-day commitment, ninety-day commitment, or one hundred eighty-day commitment is detained to a facility that is:

- (a) Not licensed or certified as an inpatient evaluation and treatment facility; or
- (b) A licensed or certified inpatient evaluation and treatment facility that is already at capacity.

Sec. 93. RCW 71.05.750 and 2019 c 325 s 3013 are each amended to read as follows:

(1) A designated crisis responder shall make a report to the authority when he or she determines a person meets detention criteria under RCW 71.05.150, 71.05.153, 71.34.700, or 71.34.710 and there are not any beds available at an evaluation and treatment facility, the person has not been provisionally accepted for admission by a facility, and the person cannot be served on a single bed certification or less restrictive alternative. Starting at the time when the designated crisis responder determines a person meets detention criteria and the investigation has been completed, the designated crisis responder has twenty-four hours to submit a completed report to the authority.

(2) The report required under subsection (1) of this section must contain at a minimum:

- (a) The date and time that the investigation was completed;

(b) The identity of the responsible behavioral health administrative services organization and managed care organization, if applicable;

(c) The county in which the person met detention criteria;

(d) A list of facilities which refused to admit the person; and

(e) Identifying information for the person, including age or date of birth.

(3) The authority shall develop a standardized reporting form or modify the current form used for single bed certifications for the report required under subsection (2) of this section and may require additional reporting elements as it determines are necessary or supportive. The authority shall also determine the method for the transmission of the completed report from the designated crisis responder to the authority.

(4) The authority shall create quarterly reports displayed on its web site that summarize the information reported under subsection (2) of this section. At a minimum, the reports must display data by county and by month. The reports must also include the number of single bed certifications granted by category. The categories must include all of the reasons that the authority recognizes for issuing a single bed certification, as identified in rule.

(5) The reports provided according to this section may not display "protected health information" as that term is used in the federal health insurance portability and accountability act of 1996, nor information contained in "mental health treatment records" or "behavioral health treatment records" as ~~((that term is))~~ these terms are used in chapter 70.02 RCW or elsewhere in state law, and must otherwise be compliant with state and federal privacy laws.

(6) For purposes of this section, the term "single bed certification" means a situation in which an adult on a ~~((seventy-two))~~ one hundred twenty hour detention, fourteen-day commitment, ninety-day commitment, or one hundred eighty-day commitment is detained to a facility that is:

(a) Not licensed or certified as an inpatient evaluation and treatment facility; or

(b) A licensed or certified inpatient evaluation and treatment facility that is already at capacity.

Sec. 94. RCW 71.34.010 and 2019 c 381 s 1 are each amended to read as follows:

(1) It is the purpose of this chapter to assure that minors in need of ~~((mental))~~ behavioral health care and treatment receive an appropriate continuum of culturally relevant care and treatment, including prevention and early intervention, self-directed care, parent-directed care, and involuntary treatment. To facilitate the continuum of care and treatment to minors in out-of-home placements, all divisions of the authority and the department that provide ~~((mental))~~ behavioral health services to minors shall jointly plan and deliver those services.

(2) It is also the purpose of this chapter to protect the rights of adolescents to confidentiality and to independently seek services for ~~((mental health and substance use))~~ behavioral health disorders. Mental health and ~~((chemical dependency))~~ substance use disorder professionals shall guard against needless hospitalization and deprivations of liberty, enable treatment decisions to be made in response to clinical needs in accordance with sound professional judgment, and encourage the use of voluntary services. Mental health and ~~((chemical dependency))~~ substance use disorder professionals shall, whenever clinically appropriate, offer less restrictive alternatives to inpatient treatment. Additionally, all ~~((mental))~~ behavioral health care and treatment providers shall assure that minors' parents are given an opportunity to participate in the treatment decisions for their minor children. The ~~((mental))~~ behavioral health care and

TWELFTH DAY, JANUARY 24, 2020

treatment providers shall, to the extent possible, offer services that involve minors' parents or family.

(3)(a) It is the intent of the legislature to enhance continuity of care for minors with serious behavioral health disorders that can be controlled or stabilized in a less restrictive alternative commitment. Within the guidelines stated in *In re LaBelle*, 107 Wn.2d 196 (1986), the legislature intends to encourage appropriate interventions at a point when there is the best opportunity to restore the minor to or maintain satisfactory functioning.

(b) For minors with a prior history or pattern of repeated hospitalizations or law enforcement interventions due to decompensation, the consideration of prior behavioral health history is particularly relevant in determining whether the minor would receive, if released, such care as is essential for his or her health or safety.

(c) Therefore, the legislature finds that for minors who are currently under a commitment order, a prior history of decompensation leading to repeated hospitalizations or law enforcement interventions should be given great weight in determining whether a new less restrictive alternative commitment should be ordered.

(4) It is also the purpose of this chapter to protect the health and safety of minors suffering from behavioral health disorders and to protect public safety through use of the *parens patriae* and police powers of the state. Accordingly, when construing the requirements of this chapter the court must focus on the merits of the petition, except where requirements have been totally disregarded, as provided in *In re C.W.*, 147 Wn.2d 259, 281 (2002). A presumption in favor of deciding petitions on their merits furthers both public and private interests because the mental and physical well-being of minors as well as public safety may be implicated by the decision to release a minor and discontinue his or her treatment.

(5) It is also the purpose of this chapter to assure the ability of parents to exercise reasonable, compassionate care and control of their minor children when there is a medical necessity for treatment and without the requirement of filing a petition under this chapter, including the ability to request and receive medically necessary treatment for their adolescent children without the consent of the adolescent.

Sec. 95. RCW 71.34.020 and 2019 c 446 s 24, 2019 c 444 s 17, 2019 c 381 s 2, and 2019 c 325 s 2001 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

- (1) "Adolescent" means a minor thirteen years of age or older.
- (2) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.
- (3) "Approved substance use disorder treatment program" means a program for minors with substance use disorders provided by a treatment program licensed or certified by the department of health as meeting standards adopted under chapter 71.24 RCW.
- (4) "Authority" means the Washington state health care authority.
- (5) "Behavioral health administrative services organization" has the same meaning as provided in RCW 71.24.025.
- (6) "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

2020 REGULAR SESSION

Medical Association or the American Osteopathic Association, and who is board eligible or board certified in child psychiatry.

- (7) "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.
- (8) "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.
- (9) "Co-occurring disorder specialist" means an individual possessing an enhancement granted by the department of health under chapter 18.205 RCW that certifies the individual to provide substance use disorder counseling subject to the practice limitations under RCW 18.205.105.
- (10) "Department" means the department of social and health services.
- (11) "Designated crisis responder" has the same meaning as provided in RCW 71.05.020.
- (12) "Director" means the director of the authority.
- (13) "Evaluation and treatment facility" means a public or private facility or unit that is licensed or certified by the department of health 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 state or federal agency does not require licensure or 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.
- (14) "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.
- (15) "Gravely disabled minor" means a minor who, as a result of a (~~mental~~) behavioral health disorder (~~(, or as a result of the use of alcohol or other psychoactive chemicals)~~), (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)~~) from safe behavior 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.
- (16) "Inpatient treatment" means twenty-four-hour-per-day mental health care provided within a general hospital, psychiatric hospital, residential treatment facility licensed or certified by the department of health as an evaluation and treatment facility for minors, secure withdrawal management and stabilization facility for minors, or approved substance use disorder treatment program for minors.
- (17) "Intoxicated minor" means a minor whose mental or physical functioning is substantially impaired as a result of the use of alcohol or other psychoactive chemicals.
- (18) "Kinship caregiver" has the same meaning as in RCW 74.13.031(19)(a).
- (19) "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.
- (20) "Likelihood of serious harm" means (~~(either)~~):

(a) A substantial risk that: ~~(i) Physical harm will be inflicted by ((an individual)) a minor 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)) (ii) physical harm will be inflicted by ((an individual)) a minor upon another individual, as evidenced by behavior which has caused ((such)) harm, substantial pain, or which places another person or persons in reasonable fear of ((sustaining such)) harm to themselves or others; or ((c) a substantial risk that)) (iii) physical harm will be inflicted by ((an individual)) a minor upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or~~

(b) The minor has threatened the physical safety of another and has a history of one or more violent acts.

(21) "Managed care organization" has the same meaning as provided in RCW 71.24.025.

(22) "Medical necessity" for inpatient care means a requested service which is reasonably calculated to: (a) Diagnose, correct, cure, or alleviate a mental disorder or substance use disorder; or (b) prevent the progression of a mental disorder or substance use disorder that endangers life or causes suffering and pain, or results in illness or infirmity or threatens to cause or aggravate a handicap, or causes physical deformity or malfunction, and there is no adequate less restrictive alternative available.

(23) "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.

(24) "Mental health professional" means a psychiatrist, psychiatric advanced registered nurse practitioner, physician assistant working with a supervising psychiatrist, psychologist, psychiatric nurse, social worker, and such other mental health professionals as defined by rules adopted by the secretary of the department of health under this chapter.

(25) "Minor" means any person under the age of eighteen years.

(26) "Outpatient treatment" means any of the nonresidential services mandated under chapter 71.24 RCW and provided by licensed or certified behavioral health agencies as identified by RCW 71.24.025.

(27)(a) "Parent" has the same meaning as defined in RCW 26.26A.010, including either parent if custody is shared under a joint custody agreement, or a person or agency judicially appointed as legal guardian or custodian of the child.

(b) For purposes of family-initiated treatment under RCW 71.34.600 through 71.34.670, "parent" also includes a person to whom a parent defined in (a) of this subsection has given a signed authorization to make health care decisions for the adolescent, a stepparent who is involved in caring for the adolescent, a kinship caregiver who is involved in caring for the adolescent, or another relative who is responsible for the health care of the adolescent, who may be required to provide a declaration under penalty of perjury stating that he or she is a relative responsible for the health care of the adolescent pursuant to ~~((RCW 9A.72.085))~~ chapter 5.50 RCW. If a dispute arises between individuals authorized to act as a parent for the purpose of RCW 71.34.600 through 71.34.670, the disagreement must be resolved according to the priority established under RCW 7.70.065(2)(a).

(28) "Physician assistant" means a person licensed as a physician assistant under chapter 18.57A or 18.71A RCW.

(29) "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, that constitutes an evaluation and treatment facility or private institution, or hospital, or approved substance use disorder treatment program,

that is conducted for, or includes a distinct unit, floor, or ward conducted for, the care and treatment of persons with mental illness, substance use disorders, or both mental illness and substance use disorders.

(30) "Professional person in charge" or "professional person" means a physician, other mental health professional, or other person empowered by an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program with authority to make admission and discharge decisions on behalf of that facility.

(31) "Psychiatric nurse" means a registered nurse who has 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.

(32) "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.

(33) "Psychologist" means a person licensed as a psychologist under chapter 18.83 RCW.

(34) "Public agency" means any evaluation and treatment facility or institution, or hospital, or approved substance use disorder treatment program that is conducted for, or includes a distinct unit, floor, or ward conducted for, the care and treatment of persons with mental illness, substance use disorders, or both mental illness and substance use disorders if the agency is operated directly by federal, state, county, or municipal government, or a combination of such governments.

(35) "Responsible other" means the minor, the minor's parent or estate, or any other person legally responsible for support of the minor.

(36) "Secretary" means the secretary of the department or secretary's designee.

(37) "Secure withdrawal management and stabilization facility" means a facility operated by either a public or private agency or by the program of an agency which provides care to voluntary individuals and individuals involuntarily detained and committed under this chapter for whom there is a likelihood of serious harm or who are gravely disabled due to the presence of a substance use disorder. Secure withdrawal management and stabilization facilities must:

(a) Provide the following services:

(i) Assessment and treatment, provided by certified substance use disorder professionals or co-occurring disorder specialists;

(ii) Clinical stabilization services;

(iii) Acute or subacute detoxification services for intoxicated individuals; and

(iv) Discharge assistance provided by certified substance use disorder professionals or co-occurring disorder specialists, including facilitating transitions to appropriate voluntary or involuntary inpatient services or to less restrictive alternatives as appropriate for the individual;

(b) Include security measures sufficient to protect the patients, staff, and community; and

(c) Be licensed or certified as such by the department of health.

(38) "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.

(39) "Start of initial detention" means the time of arrival of the minor at the first evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program offering inpatient treatment if the minor is being involuntarily detained at the time. With regard to voluntary patients, "start of initial detention"

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

means the time at which the minor gives notice of intent to leave under the provisions of this chapter.

(40) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances.

(41) "Substance use disorder professional" means a person certified as a substance use disorder professional by the department of health under chapter 18.205 RCW (~~or a person certified as a chemical dependency professional trainee under RCW 18.205.095 working under the direct supervision of a certified chemical dependency professional~~).

(42) "Admission" or "admit" means a decision by a physician, physician assistant, or psychiatric advanced registered nurse practitioner that a minor should be examined or treated as a patient in a hospital.

(43) "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.

(44) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a minor patient.

(45) "Behavioral health disorder" means either a mental disorder as defined in this section, a substance use disorder as defined in this section, or a co-occurring mental disorder and substance use disorder.

(46) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms.

(47) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed or certified by the department of health under RCW 71.24.035, such as a residential 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.

(48) "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.

(49) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter.

(50) "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 of the department.

(51) "Developmental disability" has the same meaning as defined in RCW 71A.10.020.

(52) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order.

(53) "Habilitative services" means those services provided by program personnel to assist minors in acquiring and maintaining life skills and in raising their levels of physical, behavioral, social, and vocational functioning. Habilitative services include education, training for employment, and therapy.

(54) "Hearing" means any proceeding conducted in open court that conforms to the requirements of section 98 of this act.

(55) "History of one or more violent acts" refers to the period of time five 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, a long-term alcoholism or drug treatment facility, or in confinement as a result of a criminal conviction.

(56) "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 states:

(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.

(57) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter.

(58) "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 behavioral health service providers under RCW 71.05.130.

(59) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington.

(60) "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 crisis responder.

(61) "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.

(62) "Release" means legal termination of the commitment under the provisions of this chapter.

(63) "Resource management services" has the meaning given in chapter 71.24 RCW.

(64) "Severe deterioration from safe behavior" means that a person will, if not treated, suffer or continue to suffer severe and abnormal mental, emotional, or physical distress, and this distress is associated with significant impairment of judgment, reason, or behavior.

(65) "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.

(66) "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, the department of health, the authority, 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, the department of health, the authority, behavioral health organizations, or a treatment facility if the notes or records are not available to others.

(67) "Triage facility" means a short-term facility or a portion of a facility licensed or certified by the department of health 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.

(68) "Violent act" means behavior that resulted in homicide, attempted suicide, injury, or substantial loss or damage to property.

(69) "Written order of apprehension" means an order of the court for a peace officer to deliver the named minor in the order to a facility or emergency room as determined by the designated crisis responder. Such orders must be entered into the Washington crime information center database.

Sec. 96. RCW 71.34.305 and 2016 sp.s. c 29 s 255 are each amended to read as follows:

School district personnel who contact a ~~((mental health or substance use))~~ behavioral health disorder inpatient treatment program or provider for the purpose of referring a student to inpatient treatment shall provide the parents with notice of the contact within forty-eight hours.

Sec. 97. RCW 71.34.310 and 1985 c 354 s 26 are each amended to read as follows:

(1) The superior court has jurisdiction over proceedings under this chapter.

(2) A record of all petitions and proceedings under this chapter shall be maintained by the clerk of the superior court in the county in which the petition or proceedings was initiated.

(3) Petitions for commitment shall be filed and venue for hearings under this chapter shall be in the county in which the minor is being detained. ~~((The court may, for good cause, transfer the proceeding to the county of the minor's residence, or to the county in which the alleged conduct evidencing need for commitment occurred. If the county of detention is changed, subsequent petitions may be filed in the county in which the minor is detained without the necessity of a change of venue.))~~

NEW SECTION. Sec. 98. A new section is added to chapter 71.34 RCW to read as follows:

A peace officer may take or authorize a minor to be taken into custody and immediately delivered to an appropriate triage facility, crisis stabilization unit, evaluation and treatment facility, secure withdrawal management and stabilization facility, approved substance use disorder treatment program, or the emergency department of a local hospital when he or she has reasonable cause to believe that such minor is suffering from a behavioral health disorder and presents an imminent likelihood of serious harm or is gravely disabled. Until July 1, 2026, a peace officer's delivery of a minor to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program is subject to the availability of a secure withdrawal management and stabilization facility or approved substance use disorder treatment program with adequate space for the minor.

Sec. 99. RCW 71.34.355 and 2016 c 155 s 18 are each amended to read as follows:

(1) 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:

~~((4))~~ (a) To wear their own clothes and to keep and use personal possessions;

~~((2))~~ (b) To keep and be allowed to spend a reasonable sum of their own money for canteen expenses and small purchases;

~~((3))~~ (c) To have individual storage space for private use;

~~((4))~~ (d) To have visitors at reasonable times;

~~((5))~~ (e) To have reasonable access to a telephone, both to make and receive confidential calls;

~~((6))~~ (f) To have ready access to letter-writing materials, including stamps, and to send and receive uncensored correspondence through the mails;

~~((7))~~ (g) To discuss treatment plans and decisions with mental health professionals;

~~((8))~~ (h) To have the right to adequate care and individualized treatment;

~~((9))~~ (i) To not be denied access to treatment by spiritual means through prayer in accordance with the tenets and practices of a church or religious denomination in addition to the treatment otherwise proposed;

(j) Not to consent to the administration of antipsychotic medications beyond the hearing conducted pursuant to RCW 71.34.750 or the performance of electroconvulsive treatment or surgery, except emergency lifesaving surgery, upon him or her, ~~((and not to have electroconvulsive 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))~~ under procedures described in RCW 71.05.217(1)(j). The minor's parent may exercise this right on the minor's behalf, and must be informed of any impending treatment;

~~((10))~~ (k) Not to have psychosurgery performed on him or her under any circumstances.

(2)(a) Privileges between minors 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 are waived when a court of competent jurisdiction in its discretion determines that such waiver is necessary to protect either the detained minor or the public.

(b) The waiver of a privilege under this section is limited to records or testimony relevant to evaluation of the detained minor for purposes of a proceeding under this chapter. Upon motion by the detained minor 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.

(c) The record maker may not be required to testify in order to introduce medical or psychological records of the detained minor 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 minor's mental state must be deleted from such records unless the person making such conclusions is available for cross-examination.

(3) No minor may be presumed incompetent as a consequence of receiving an evaluation or voluntary or involuntary treatment for a mental disorder or substance use disorder, under this chapter or any prior laws of this state dealing with mental illness or substance use disorders.

NEW SECTION. Sec. 100. A new section is added to chapter 71.34 RCW to read as follows:

At the time a minor is involuntarily admitted to an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

treatment program, the professional person in charge or his or her designee shall take reasonable precautions to inventory and safeguard the personal property of the detained minor. A copy of the inventory, signed by the staff member making it, must be given to the detained minor and must, in addition, be open to inspection to any responsible relative, subject to limitations, if any, specifically imposed by the detained minor. For purposes of this section, "responsible relative" includes the guardian, conservator, attorney, parent, or adult brother or sister of the minor. The facility shall not disclose the contents of the inventory to any other person without the consent of the minor or order of the court.

Sec. 101. RCW 71.34.365 and 2018 c 201 s 5004 are each amended to read as follows:

(1) If a minor is not accepted for admission or is released by an inpatient evaluation and treatment facility, the facility shall release the minor to the custody of the minor's parent or other responsible person. If not otherwise available, the facility shall furnish transportation for the minor to the minor's residence or other appropriate place. If the minor has been arrested, the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program shall detain the minor for not more than eight hours at the request of the peace officer. The program or facility shall make reasonable attempts to contact the requesting peace officer during this time to inform the peace officer that the minor is not approved for admission or is being released in order to enable a peace officer to return to the facility and take the minor back into custody.

(2) If the minor is released to someone other than the minor's parent, the facility shall make every effort to notify the minor's parent of the release as soon as possible.

(3) No indigent minor may be released to less restrictive alternative treatment or setting or discharged from inpatient treatment without suitable clothing, and the authority shall furnish this clothing. As funds are available, the director may provide necessary funds for the immediate welfare of indigent minors upon discharge or release to less restrictive alternative treatment.

Sec. 102. RCW 71.34.410 and 2019 c 446 s 27 are each amended to read as follows:

(1) No public or private agency or governmental entity, nor officer of a public or private agency, nor the superintendent, or 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))~~ minor under this chapter, nor any designated crisis responder, nor professional person, nor evaluation and treatment facility, nor secure withdrawal management and stabilization facility, nor approved substance use disorder treatment program shall be civilly or criminally liable for performing actions authorized in this chapter with regard to the decision of whether to admit, release, administer antipsychotic medications, or detain a ~~((person))~~ minor for evaluation and treatment: PROVIDED, That such duties were performed in good faith and without gross negligence.

(2) This section does not relieve a person from giving the required duty to warn or to take reasonable precautions to provide protection from violent behavior where the minor 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.

Sec. 103. RCW 71.34.420 and 2018 c 201 s 5012 are each amended to read as follows:

(1) The authority may use a single bed certification process as outlined in rule to provide additional treatment capacity for a minor suffering from a ~~((mental))~~ behavioral health disorder for whom an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program bed is not available. The facility that is the proposed site of the single bed certification must be a facility that is willing and able to provide the person with timely and appropriate treatment either directly or by arrangement with other public or private agencies.

(2) A single bed certification must be specific to the minor receiving treatment.

(3) A designated crisis responder who submits an application for a single bed certification for treatment at a facility that is willing and able to provide timely and appropriate ~~((mental))~~ behavioral health treatment in good faith belief that the single bed certification is appropriate may presume that the single bed certification will be approved for the purpose of completing the detention process and responding to other emergency calls.

(4) The authority may adopt rules implementing this section and continue to enforce rules it has already adopted except where inconsistent with this section.

NEW SECTION. Sec. 104. A new section is added to chapter 71.34 RCW to read as follows:

Nothing in this chapter shall prohibit the professional person in charge of a treatment facility, or his or her professional designee, from permitting a minor detained for intensive treatment to leave the facility for prescribed periods during the term of the minor's detention, under such conditions as may be appropriate.

Sec. 105. RCW 71.34.500 and 2019 c 381 s 3 are each amended to read as follows:

(1) An adolescent may admit himself or herself to an evaluation and treatment facility for inpatient mental health treatment or an approved substance use disorder treatment program for inpatient substance use disorder treatment without parental consent. The admission shall occur only if the professional person in charge of the facility concurs with the need for inpatient treatment. Parental authorization, or authorization from a person who may consent on behalf of the minor pursuant to RCW 7.70.065, is required for inpatient treatment of a minor under the age of thirteen.

(2) When, in the judgment of the professional person in charge of an evaluation and treatment facility or approved substance use disorder treatment program, there is reason to believe that a minor is in need of inpatient treatment because of a ~~((mental disorder or substance use))~~ behavioral health disorder, and the facility provides the type of evaluation and treatment needed by the minor, and it is not feasible to treat the minor in any less restrictive setting or the minor's home, the minor may be admitted to the facility.

(3) Written renewal of voluntary consent must be obtained from the applicant no less than once every twelve months. The minor's need for continued inpatient treatments shall be reviewed and documented no less than every one hundred eighty days.

Sec. 106. RCW 71.34.600 and 2019 c 446 s 28 and 2019 c 381 s 7 are each reenacted and amended to read as follows:

(1) A parent may bring, or authorize the bringing of, his or her adolescent child to:

(a) An evaluation and treatment facility or an inpatient facility licensed under chapter 70.41, 71.12, or 72.23 RCW and request that the professional person examine the adolescent to determine whether the adolescent has a mental disorder and is in need of inpatient treatment; or

(b) A secure withdrawal management and stabilization facility or approved substance use disorder treatment program and request that a substance use disorder assessment be conducted by a professional person to determine whether the adolescent has a substance use disorder and is in need of inpatient treatment.

(2) The consent of the adolescent is not required for admission, evaluation, and treatment if a parent provides consent.

(3) An appropriately trained professional person may evaluate whether the adolescent has a ~~((mental disorder or has a substance use))~~ behavioral health disorder. The evaluation shall be completed within twenty-four hours of the time the adolescent was brought to the facility, unless the professional person determines that the condition of the adolescent necessitates additional time for evaluation. In no event shall an adolescent 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 adolescent to receive inpatient treatment, the adolescent may be held for treatment. The facility shall limit treatment to that which the professional person determines is medically necessary to stabilize the adolescent's condition until the evaluation has been completed. Within twenty-four hours of completion of the evaluation, the professional person shall notify the authority if the adolescent is held solely for mental health and not substance use disorder treatment and of the date of admission. If the adolescent is held for substance use disorder treatment only, the professional person shall provide notice to the authority which redacts all patient identifying information about the adolescent unless: (a) The adolescent provides written consent to the disclosure of the fact of admission and such other substance use disorder treatment information in the notice; or (b) permitted by federal law.

(4) No provider is obligated to provide treatment to an adolescent under the provisions of this section except that no provider may refuse to treat an adolescent under the provisions of this section solely on the basis that the adolescent has not consented to the treatment. No provider may admit an adolescent to treatment under this section unless it is medically necessary.

(5) No adolescent receiving inpatient treatment under this section may be discharged from the facility based solely on his or her request.

(6) Prior to the review conducted under RCW 71.34.610, the professional person shall notify the adolescent of his or her right to petition superior court for release from the facility.

~~((7) For the purposes of this section "professional person" means "professional person" as defined in RCW 71.05.020.))~~

Sec. 107. RCW 71.34.600 and 2019 c 446 s 28 and 2019 c 381 s 7 are each reenacted and amended to read as follows:

(1) A parent may bring, or authorize the bringing of, his or her adolescent child to:

(a) An evaluation and treatment facility or an inpatient facility licensed under chapter 70.41, 71.12, or 72.23 RCW and request that the professional person examine the adolescent to determine whether the adolescent has a mental disorder and is in need of inpatient treatment; or

(b) A secure withdrawal management and stabilization facility or approved substance use disorder treatment program and request that a substance use disorder assessment be conducted by a professional person to determine whether the adolescent has a substance use disorder and is in need of inpatient treatment.

(2) The consent of the adolescent is not required for admission, evaluation, and treatment if a parent provides consent.

(3) An appropriately trained professional person may evaluate whether the adolescent has a ~~((mental disorder or has a substance use))~~ behavioral health disorder. The evaluation shall be completed within twenty-four hours of the time the adolescent was brought to the facility, unless the professional person

determines that the condition of the adolescent necessitates additional time for evaluation. In no event shall an adolescent be held longer than ~~((seventy-two))~~ one hundred twenty hours for evaluation. If, in the judgment of the professional person, it is determined it is a medical necessity for the adolescent to receive inpatient treatment, the adolescent may be held for treatment. The facility shall limit treatment to that which the professional person determines is medically necessary to stabilize the adolescent's condition until the evaluation has been completed. Within twenty-four hours of completion of the evaluation, the professional person shall notify the authority if the adolescent is held solely for mental health and not substance use disorder treatment and of the date of admission. If the adolescent is held for substance use disorder treatment only, the professional person shall provide notice to the authority which redacts all patient identifying information about the adolescent unless: (a) The adolescent provides written consent to the disclosure of the fact of admission and such other substance use disorder treatment information in the notice; or (b) permitted by federal law.

(4) No provider is obligated to provide treatment to an adolescent under the provisions of this section except that no provider may refuse to treat an adolescent under the provisions of this section solely on the basis that the adolescent has not consented to the treatment. No provider may admit an adolescent to treatment under this section unless it is medically necessary.

(5) No adolescent receiving inpatient treatment under this section may be discharged from the facility based solely on his or her request.

(6) Prior to the review conducted under RCW 71.34.610, the professional person shall notify the adolescent of his or her right to petition superior court for release from the facility.

~~((7) For the purposes of this section "professional person" means "professional person" as defined in RCW 71.05.020.))~~

Sec. 108. RCW 71.34.650 and 2019 c 381 s 12 are each amended to read as follows:

(1) A parent may bring, or authorize the bringing of, his or her adolescent child to:

~~((a))~~ a provider of outpatient ~~((mental))~~ behavioral health treatment and request that an appropriately trained professional person examine the adolescent to determine whether the adolescent has a ~~((mental))~~ behavioral health disorder and is in need of outpatient treatment ~~((or~~

~~((b) A provider of outpatient substance use disorder treatment and request that an appropriately trained professional person examine the adolescent to determine whether the adolescent has a substance use disorder and is in need of outpatient treatment)).~~

(2) The consent of the adolescent is not required for evaluation if a parent provides consent.

(3) The professional person may evaluate whether the adolescent has a ~~((mental disorder or substance use))~~ behavioral health disorder and is in need of outpatient treatment.

(4) If a determination is made by a professional person under this section that an adolescent is in need of outpatient ~~((mental health or substance use))~~ behavioral health disorder treatment, a parent of an adolescent may request and receive such outpatient treatment for his or her adolescent without the consent of the adolescent for up to twelve outpatient sessions occurring within a three-month period.

(5) Following the treatment periods under subsection (4) of this section, an adolescent must provide his or her consent for further treatment with that specific professional person.

(6) If a determination is made by a professional person under this section that an adolescent is in need of treatment in a less restrictive setting, including partial hospitalization or intensive outpatient treatment, a parent of an adolescent may request and

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

receive such treatment for his or her adolescent without the consent of the adolescent.

(a) A professional person providing solely mental health treatment to an adolescent under this subsection (6) must convene a treatment review at least every thirty days after treatment begins that includes the adolescent, parent, and other treatment team members as appropriate to determine whether continued care under this subsection is medically necessary.

(b) A professional person providing solely mental health treatment to an adolescent under this subsection (6) shall provide notification of the adolescent's treatment to an independent reviewer at the authority within twenty-four hours of the adolescent's first receipt of treatment under this subsection. At least every forty-five days after the adolescent's first receipt of treatment under this subsection, the authority shall conduct a review to determine whether the current level of treatment is medically necessary.

(c) A professional person providing substance use disorder treatment under this subsection (6) shall convene a treatment review under (a) of this subsection and provide the notification of the adolescent's receipt of treatment to an independent reviewer at the authority as described in (b) of this subsection only if: (i) The adolescent provides written consent to the disclosure of substance use disorder treatment information including the fact of his or her receipt of such treatment; or (ii) permitted by federal law.

(7) Any adolescent admitted to inpatient treatment under RCW 71.34.500 or 71.34.600 shall be discharged immediately from inpatient treatment upon written request of the parent.

Sec. 109. RCW 71.34.700 and 2019 c 446 s 30 and 2019 c 381 s 14 are each reenacted and amended to read as follows:

(1) If an adolescent is brought to an evaluation and treatment facility, secure withdrawal management and stabilization facility with available space, approved substance use disorder treatment program with available space, or hospital emergency room for immediate ~~((mental))~~ behavioral health services, the professional person in charge of the facility shall evaluate the adolescent's ~~((mental))~~ condition, determine whether the adolescent suffers from a ~~((mental))~~ behavioral health disorder, and whether the adolescent is in need of immediate inpatient treatment.

~~(2) ((If an adolescent is brought to a secure withdrawal management and stabilization facility with available space, or a hospital emergency room for immediate substance use disorder treatment, the professional person in charge of the facility shall evaluate the adolescent's condition, determine whether the adolescent suffers from a substance use disorder, and whether the adolescent is in need of immediate inpatient treatment.~~

~~(3)) If it is determined under subsection (1) ((or (2))) of this section that the adolescent suffers from a ~~((mental disorder or substance use))~~ behavioral health disorder, inpatient treatment is required, the adolescent is unwilling to consent to voluntary admission, and the professional person believes that the adolescent meets the criteria for initial detention ~~((set forth herein))~~, the facility may detain or arrange for the detention of the adolescent for up to twelve hours, not including time periods prior to medical clearance, in order to enable a designated crisis responder to evaluate the adolescent and commence initial detention proceedings under the provisions of this chapter.~~

(3) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section, based on the purpose of this chapter under RCW 71.34.010, except in the few cases where the facility staff or the designated crisis responder have totally disregarded the requirements of this section.

Sec. 110. RCW 71.34.700 and 2019 c 446 s 31 and 2019 c 381 s 15 are each reenacted and amended to read as follows:

(1) If an adolescent is brought to an evaluation and treatment facility, secure withdrawal management and stabilization facility, approved substance use disorder treatment program, or hospital emergency room for immediate ~~((mental))~~ behavioral health services, the professional person in charge of the facility shall evaluate the adolescent's ~~((mental))~~ condition, determine whether the adolescent suffers from a ~~((mental))~~ behavioral health disorder, and whether the adolescent is in need of immediate inpatient treatment.

~~(2) ((If an adolescent is brought to a secure withdrawal management and stabilization facility or a hospital emergency room for immediate substance use disorder treatment, the professional person in charge of the facility shall evaluate the adolescent's condition, determine whether the adolescent suffers from a substance use disorder, and whether the adolescent is in need of immediate inpatient treatment.~~

~~(3)) If it is determined under subsection (1) ((or (2))) of this section that the adolescent suffers from a ~~((mental disorder or substance use))~~ behavioral health disorder, inpatient treatment is required, the adolescent is unwilling to consent to voluntary admission, and the professional person believes that the adolescent meets the criteria for initial detention ~~((set forth herein))~~, the facility may detain or arrange for the detention of the adolescent for up to twelve hours, not including time periods prior to medical clearance, in order to enable a designated crisis responder to evaluate the adolescent and commence initial detention proceedings under the provisions of this chapter.~~

(3) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section, based on the purpose of this chapter under RCW 71.34.010, except in the few cases where the facility staff or the designated crisis responder have totally disregarded the requirements of this section.

NEW SECTION. Sec. 111. A new section is added to chapter 71.34 RCW to read as follows:

(1) Whenever a designated crisis responder or professional person is conducting an evaluation under this chapter, the designated crisis responder or professional person must consider all reasonably available information from credible witnesses and records regarding:

(a) Historical behavior, including history of one or more violent acts; and

(b) Prior commitments under this chapter.

(2) Credible witnesses may include family members, landlords, neighbors, or others with significant contact and history of involvement with the minor. If the designated crisis responder relies upon information from a credible witness in reaching his or her decision to detain the minor, then he or she must provide contact information for any such witness to the prosecutor. The designated crisis responder or prosecutor shall provide notice of the date, time, and location of the probable cause hearing to such a witness.

(3) Symptoms and behavior of the minor which standing alone would not justify civil commitment may support a finding of grave disability or likelihood of serious harm, when:

(a) Such symptoms or behavior are closely associated with symptoms or behavior which preceded and led to a past incident of involuntary hospitalization, severe deterioration from safe behavior, or one or more violent acts;

(b) These symptoms or behavior represent a marked and concerning change in the baseline behavior of the minor; and

(c) Without treatment, the continued deterioration of the minor is probable.

Sec. 112. RCW 71.34.710 and 2019 c 446 s 32 and 2019 c 381 s 16 are each reenacted and amended to read as follows:

(1)(a)((†)) When a designated crisis responder receives information that an adolescent as a result of a ~~((mental))~~ behavioral health disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary admission for inpatient treatment is not possible, the designated crisis responder may take the adolescent, or cause the adolescent to be taken, into custody and transported to an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program providing inpatient treatment.

~~((ii)) When a designated crisis responder receives information that an adolescent as a result of a substance use disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary admission for inpatient treatment is not possible, the designated crisis responder may take the adolescent, or cause the adolescent to be taken, into custody and transported to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program, if) A secure withdrawal management and stabilization facility or approved substance use disorder treatment program ((is)) must be available and ~~((has))~~ have adequate space for the adolescent.~~

(b) If ~~((the adolescent is not taken into custody for evaluation and treatment, the parent who has custody of the adolescent may seek review of that decision made by the designated crisis responder in court. The parent shall file notice with the court and provide a copy of the designated crisis responder's report or notes))~~ a designated crisis responder decides not to detain an adolescent for evaluation and treatment under RCW 71.34.700(2), or forty-eight hours have elapsed since a designated crisis responder received a request for investigation and the designated crisis responder has not taken action to have the adolescent detained, an immediate family member or guardian or conservator of the adolescent may petition the superior court for the adolescent's detention using the procedures under RCW 71.05.201 and 71.05.203; however, when the court enters an order of initial detention, except as otherwise expressly stated in this chapter, all procedures must be followed as if the order has been entered under (a) of this subsection.

(2)(a) Within twelve hours of the adolescent's arrival at the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program, the designated crisis responder shall serve on the adolescent a copy of the petition for initial detention, notice of initial detention, and statement of rights. The designated crisis responder shall file with the court on the next judicial day following the initial detention the original petition for initial detention, notice of initial detention, and statement of rights along with an affidavit of service. The designated crisis responder shall commence service of the petition for initial detention and notice of the initial detention on the adolescent's parent and the adolescent's attorney as soon as possible following the initial detention.

(b) If the adolescent is involuntarily detained at an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program in a different county from where the adolescent was initially detained, the facility or program may serve the adolescent, notify the adolescent's parents and the adolescent's attorney, and file with the court on the next judicial day following the initial detention the original petition for initial

detention, notice of initial detention, and statement of rights along with an affidavit of service when filing with the court at the request of the designated crisis responder.

(3)(a) At the time of initial detention, the designated crisis responder shall advise the adolescent both orally and in writing that if admitted to the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program for inpatient treatment, a commitment hearing shall be held within seventy-two hours of the adolescent's provisional acceptance to determine whether probable cause exists to commit the adolescent for further treatment.

(b) The adolescent shall be advised that he or she has a right to communicate immediately with an attorney and that he or she has a right to have an attorney appointed to represent him or her before and at the hearing if the adolescent is indigent.

(4) Subject to subsection (5) of this section, whenever the designated crisis responder petitions for detention of an adolescent under this chapter, an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program providing seventy-two hour evaluation and treatment must immediately accept on a provisional basis the petition and the person. Within twenty-four hours of the adolescent's arrival, the facility must evaluate the adolescent's condition and either admit or release the adolescent in accordance with this chapter.

(5) A designated crisis responder may not petition for detention of an adolescent to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program unless there is a secure withdrawal management and stabilization facility or approved substance use disorder treatment program available and that has adequate space for the adolescent.

(6) If an adolescent is not approved for admission by the inpatient evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program, the facility shall make such recommendations and referrals for further care and treatment of the adolescent as necessary.

(7) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section, based on the purpose of this chapter under RCW 71.34.010, except in the few cases where the facility staff or the designated crisis responder have totally disregarded the requirements of this section.

Sec. 113. RCW 71.34.710 and 2019 c 446 s 32 and 2019 c 381 s 16 are each reenacted and amended to read as follows:

(1)(a)((†)) When a designated crisis responder receives information that an adolescent as a result of a ~~((mental))~~ behavioral health disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary admission for inpatient treatment is not possible, the designated crisis responder may take the adolescent, or cause the adolescent to be taken, into custody and transported to an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program providing inpatient treatment.

~~((ii)) When a designated crisis responder receives information that an adolescent as a result of a substance use disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary admission for inpatient treatment is not possible, the designated crisis responder may take the adolescent, or cause the adolescent to be taken, into custody and transported to a~~

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

~~secure withdrawal management and stabilization facility or approved substance use disorder treatment program, if) A secure withdrawal management and stabilization facility or approved substance use disorder treatment program ((is)) must be available and ((has)) have adequate space for the adolescent.~~

~~(b) If ((the adolescent is not taken into custody for evaluation and treatment, the parent who has custody of the adolescent may seek review of that decision made by the designated crisis responder in court. The parent shall file notice with the court and provide a copy of the designated crisis responder's report or notes)) a designated crisis responder decides not to detain an adolescent for evaluation and treatment under RCW 71.34.700(2), or forty-eight hours have elapsed since a designated crisis responder received a request for investigation and the designated crisis responder has not taken action to have the adolescent detained, an immediate family member or guardian or conservator of the adolescent may petition the superior court for the adolescent's detention using the procedures under RCW 71.05.201 and 71.05.203; however, when the court enters an order of initial detention, except as otherwise expressly stated in this chapter, all procedures must be followed as if the order has been entered under (a) of this subsection.~~

~~(2)(a) Within twelve hours of the adolescent's arrival at the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program, the designated crisis responder shall serve on the adolescent a copy of the petition for initial detention, notice of initial detention, and statement of rights. The designated crisis responder shall file with the court on the next judicial day following the initial detention the original petition for initial detention, notice of initial detention, and statement of rights along with an affidavit of service. The designated crisis responder shall commence service of the petition for initial detention and notice of the initial detention on the adolescent's parent and the adolescent's attorney as soon as possible following the initial detention.~~

~~(b) If the adolescent is involuntarily detained at an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program in a different county from where the adolescent was initially detained, the facility or program may serve the adolescent, notify the adolescent's parents and the adolescent's attorney, and file with the court on the next judicial day following the initial detention the original petition for initial detention, notice of initial detention, and statement of rights along with an affidavit of service when filing with the court at the request of the designated crisis responder.~~

~~(3)(a) At the time of initial detention, the designated crisis responder shall advise the adolescent both orally and in writing that if admitted to the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program for inpatient treatment, a commitment hearing shall be held within ((seventy-two)) one hundred twenty hours of the adolescent's provisional acceptance to determine whether probable cause exists to commit the adolescent for further treatment.~~

~~(b) The adolescent shall be advised that he or she has a right to communicate immediately with an attorney and that he or she has a right to have an attorney appointed to represent him or her before and at the hearing if the adolescent is indigent.~~

~~(4) Subject to subsection (5) of this section, whenever the designated crisis responder petitions for detention of an adolescent under this chapter, an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program providing~~

~~((seventy-two)) one hundred twenty hour evaluation and treatment must immediately accept on a provisional basis the petition and the person. Within twenty-four hours of the adolescent's arrival, the facility must evaluate the adolescent's condition and either admit or release the adolescent in accordance with this chapter.~~

~~(5) A designated crisis responder may not petition for detention of an adolescent to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program unless there is a secure withdrawal management and stabilization facility or approved substance use disorder treatment program available and that has adequate space for the adolescent.~~

~~(6) If an adolescent is not approved for admission by the inpatient evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program, the facility shall make such recommendations and referrals for further care and treatment of the adolescent as necessary.~~

~~(7) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section, based on the purpose of this chapter under RCW 71.34.010, except in the few cases where the facility staff or the designated crisis responder have totally disregarded the requirements of this section.~~

~~**Sec. 114.** RCW 71.34.710 and 2019 c 446 s 33 and 2019 c 381 s 17 are each reenacted and amended to read as follows:~~

~~(1)(a)((i)) When a designated crisis responder receives information that an adolescent as a result of a ((mental)) behavioral health disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary admission for inpatient treatment is not possible, the designated crisis responder may take the adolescent, or cause the adolescent to be taken, into custody and transported to an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program providing inpatient treatment.~~

~~((ii) When a designated crisis responder receives information that an adolescent as a result of a substance use disorder presents a likelihood of serious harm or is gravely disabled, has investigated the specific facts alleged and of the credibility of the person or persons providing the information, and has determined that voluntary admission for inpatient treatment is not possible, the designated crisis responder may take the adolescent, or cause the adolescent to be taken, into custody and transported to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program:))~~

~~(b) If ((the adolescent is not taken into custody for evaluation and treatment, the parent who has custody of the adolescent may seek review of that decision made by the designated crisis responder in court. The parent shall file notice with the court and provide a copy of the designated crisis responder's report or notes)) a designated crisis responder decides not to detain an adolescent for evaluation and treatment under RCW 71.34.700(2), or forty-eight hours have elapsed since a designated crisis responder received a request for investigation and the designated crisis responder has not taken action to have the adolescent detained, an immediate family member or guardian or conservator of the adolescent may petition the superior court for the adolescent's detention using the procedures under RCW 71.05.201 and 71.05.203; however, when the court enters an order of initial detention, except as otherwise expressly stated in this chapter, all procedures must be followed as if the order has been entered under (a) of this subsection.~~

(2)(a) Within twelve hours of the adolescent's arrival at the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program, the designated crisis responder shall serve on the adolescent a copy of the petition for initial detention, notice of initial detention, and statement of rights. The designated crisis responder shall file with the court on the next judicial day following the initial detention the original petition for initial detention, notice of initial detention, and statement of rights along with an affidavit of service. The designated crisis responder shall commence service of the petition for initial detention and notice of the initial detention on the adolescent's parent and the adolescent's attorney as soon as possible following the initial detention.

(b) If the adolescent is involuntarily detained at an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program in a different county from where the adolescent was initially detained, the facility or program may serve the adolescent, notify the adolescent's parents and the adolescent's attorney, and file with the court on the next judicial day following the initial detention the original petition for initial detention, notice of initial detention, and statement of rights along with an affidavit of service when filing with the court at the request of the designated crisis responder.

(3)(a) At the time of initial detention, the designated crisis responder shall advise the adolescent both orally and in writing that if admitted to the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program for inpatient treatment, a commitment hearing shall be held within ~~((seventy-two))~~ one hundred twenty hours of the adolescent's provisional acceptance to determine whether probable cause exists to commit the adolescent for further treatment.

(b) The adolescent shall be advised that he or she has a right to communicate immediately with an attorney and that he or she has a right to have an attorney appointed to represent him or her before and at the hearing if the adolescent is indigent.

(4) Whenever the designated crisis responder petitions for detention of an adolescent under this chapter, an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program providing ~~((seventy-two))~~ one hundred twenty hour evaluation and treatment must immediately accept on a provisional basis the petition and the person. Within twenty-four hours of the adolescent's arrival, the facility must evaluate the adolescent's condition and either admit or release the adolescent in accordance with this chapter.

(5) If an adolescent is not approved for admission by the inpatient evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program, the facility shall make such recommendations and referrals for further care and treatment of the adolescent as necessary.

(6) Dismissal of a commitment petition is not the appropriate remedy for a violation of the timeliness requirements of this section, based on the purpose of this chapter under RCW 71.34.010, except in the few cases where the facility staff or the designated crisis responder have totally disregarded the requirements of this section.

Sec. 115. RCW 71.34.720 and 2019 c 446 s 34 and 2019 c 444 s 18 are each reenacted and 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, for minors admitted as a result of a mental disorder, or by a substance use disorder professional or co-occurring disorder

specialist, for minors admitted as a result of a substance use disorder, 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 or substance use disorder specialist and the physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the minor, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment program or, if detained to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility, then the minor shall be referred to the more appropriate placement; however a minor may only be referred to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program if there is a secure withdrawal management and stabilization facility or approved substance use disorder treatment program available and that has adequate space for the minor.

(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))~~ A minor must not be denied the opportunity to consult an attorney unless there is an immediate risk of harm to the minor or others.

(5) If the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program 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. 116. RCW 71.34.720 and 2019 c 446 s 34 and 2019 c 444 s 18 are each reenacted and 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, for minors admitted as a result of a mental disorder, or by a substance use disorder professional or co-occurring disorder specialist, for minors admitted as a result of a substance use disorder, 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 or substance use disorder specialist and the physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the minor, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment program or, if detained to a secure withdrawal management and

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

stabilization facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility, then the minor shall be referred to the more appropriate placement; however a minor may only be referred to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program if there is a secure withdrawal management and stabilization facility or approved substance use disorder treatment program available and that has adequate space for the minor.

(3) The admitting facility shall take reasonable steps to notify immediately the minor's parent of the admission.

(4) During the initial ~~((seventy-two))~~ one hundred twenty 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))~~ A minor must not be denied the opportunity to consult an attorney unless there is an immediate risk of harm to the minor or others.

(5) If the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program admits the minor, it may detain the minor for evaluation and treatment for a period not to exceed ~~((seventy-two))~~ one hundred twenty hours from the time of provisional acceptance. The computation of such ~~((seventy-two))~~ one hundred twenty hour period shall exclude Saturdays, Sundays, and holidays. This initial treatment period shall not exceed ~~((seventy-two))~~ one hundred twenty 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. 117. RCW 71.34.720 and 2019 c 446 s 35 and 2019 c 444 s 19 are each reenacted and 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, for minors admitted as a result of a mental disorder, or by a substance use disorder professional or co-occurring disorder specialist, for minors admitted as a result of a substance use disorder, 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 or substance use disorder specialist and the physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the minor, if detained to an evaluation and treatment facility, would be better served by placement in a substance use disorder treatment program or, if detained to a secure withdrawal management and stabilization facility or approved substance use disorder treatment program, would be better served in an evaluation and treatment facility, then the minor shall be referred to the more appropriate placement.

(3) The admitting facility shall take reasonable steps to notify immediately the minor's parent of the admission.

(4) During the initial ~~((seventy-two))~~ one hundred twenty 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))~~ A minor must not be denied the opportunity to consult an attorney unless there is an immediate risk of harm to the minor or others.

(5) If the evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program admits the minor, it may detain the minor for evaluation and treatment for a period not to exceed ~~((seventy-two))~~ one hundred twenty hours from the time of provisional acceptance. The computation of such ~~((seventy-two))~~ one hundred twenty hour period shall exclude Saturdays, Sundays, and holidays. This initial treatment period shall not exceed ~~((seventy-two))~~ one hundred twenty 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. 118. RCW 71.34.730 and 2019 c 446 s 36 are each amended to read as follows:

(1) The professional person in charge of an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program 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 ~~((or, in the case of a minor with a substance use disorder, to))~~ a secure withdrawal management and stabilization facility, or an approved substance use disorder treatment program for fourteen-day diagnosis, evaluation, and treatment.

If the professional person in charge of the 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) One physician, physician assistant, or psychiatric advanced registered nurse practitioner; and

(ii) One physician, physician assistant, psychiatric advanced registered nurse practitioner, or mental health professional.

(b) If the petition is for substance use disorder treatment, the petition may be signed by a ~~((chemical dependency))~~ substance use disorder professional instead of a mental health professional and by an advanced registered nurse practitioner instead of a psychiatric advanced registered nurse practitioner. The person signing the petition must have examined the minor, and the petition must contain the following:

(i) The name and address of the petitioner;

(ii) The name of the minor alleged to meet the criteria for fourteen-day commitment;

(iii) The name, telephone number, and address if known of every person believed by the petitioner to be legally responsible for the minor;

(iv) 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;

(v) 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;

(vi) If the petition is for mental health treatment, a statement that the minor has been advised of the loss of firearm rights if involuntarily committed;

(vii) A statement recommending the appropriate facility or facilities to provide the necessary treatment; and

(viii) A statement concerning whether a less restrictive alternative to inpatient treatment is in the best interests of the minor.

(c) A copy of the petition shall be personally ~~((delivered to))~~ served on the minor by the petitioner or petitioner's designee. A copy of the petition shall be ~~((sent))~~ provided to the minor's attorney and the minor's parent.

Sec. 119. RCW 71.34.730 and 2019 c 446 s 36 are each amended to read as follows:

(1) The professional person in charge of an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program where a minor has been admitted involuntarily for the initial ~~((seventy-two))~~ one hundred twenty hour treatment period under this chapter may petition to have a minor committed to an evaluation and treatment facility ~~((or, in the case of a minor with a substance use disorder, to))~~, a secure withdrawal management and stabilization facility, or an approved substance use disorder treatment program for fourteen-day diagnosis, evaluation, and treatment.

If the professional person in charge of the 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) One physician, physician assistant, or psychiatric advanced registered nurse practitioner; and

(ii) One physician, physician assistant, psychiatric advanced registered nurse practitioner, or mental health professional.

(b) If the petition is for substance use disorder treatment, the petition may be signed by a ~~((chemical dependency))~~ substance use disorder professional instead of a mental health professional and by an advanced registered nurse practitioner instead of a psychiatric advanced registered nurse practitioner. The person signing the petition must have examined the minor, and the petition must contain the following:

(i) The name and address of the petitioner;

(ii) The name of the minor alleged to meet the criteria for fourteen-day commitment;

(iii) The name, telephone number, and address if known of every person believed by the petitioner to be legally responsible for the minor;

(iv) 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;

(v) 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;

(vi) If the petition is for mental health treatment, a statement that the minor has been advised of the loss of firearm rights if involuntarily committed;

(vii) A statement recommending the appropriate facility or facilities to provide the necessary treatment; and

(viii) A statement concerning whether a less restrictive alternative to inpatient treatment is in the best interests of the minor.

(c) A copy of the petition shall be personally ~~((delivered to))~~ served on the minor by the petitioner or petitioner's designee. A

copy of the petition shall be ~~((sent))~~ provided to the minor's attorney and the minor's parent.

NEW SECTION. Sec. 120. A new section is added to chapter 71.34 RCW to read as follows:

(1) In any proceeding for involuntary commitment under this chapter, the court may continue or postpone such proceeding for a reasonable time on motion of the respondent for good cause, or on motion of the prosecuting attorney or the attorney general if:

(a) The respondent expressly consents to a continuance or delay and there is a showing of good cause; or

(b) Such continuance is required in the proper administration of justice and the respondent will not be substantially prejudiced in the presentation of the respondent's case.

(2) The court may on its own motion continue the case when required in due administration of justice and when the respondent will not be substantially prejudiced in the presentation of the respondent's case.

(3) The court shall state in any order of continuance or postponement the grounds for the continuance or postponement and whether detention will be extended.

Sec. 121. RCW 71.34.740 and 2019 c 446 s 37 are each amended to read as follows:

(1) A commitment hearing shall be held within seventy-two hours of the minor's admission, excluding Saturday, Sunday, and holidays, unless a continuance is ~~((requested by the minor or the minor's attorney))~~ ordered under section 88 of this act.

(2) The commitment hearing shall be conducted at the superior court or an appropriate place at the facility in which the minor is being detained.

(3) At the commitment hearing, the evidence in support of the petition shall be presented by the county prosecutor.

(4) The minor shall be present at the commitment hearing unless the minor, with the assistance of the minor's attorney, waives the right to be present at the hearing.

(5) If the parents are opposed to the petition, they may be represented at the hearing and shall be entitled to court-appointed counsel if they are indigent.

(6) At the commitment hearing, the minor shall have the following rights:

(a) To be represented by an attorney;

(b) To present evidence on his or her own behalf;

(c) To question persons testifying in support of the petition.

(7) If the hearing is for commitment for mental health treatment, the court at the time of the commitment hearing and before an order of commitment is entered shall inform the minor both orally and in writing that the failure to make a good faith effort to seek voluntary treatment as provided in RCW 71.34.730 will result in the loss of his or her firearm rights if the minor is subsequently detained for involuntary treatment under this section.

(8) If the minor has received medication within twenty-four hours of the hearing, the court shall be informed of that fact and of the probable effects of the medication.

~~((Rules of evidence shall not apply in fourteen day commitment hearings.~~

~~((10)))~~ For a fourteen-day commitment, the court must find by a preponderance of the evidence that:

(a) The minor has a ~~((mental disorder or substance use))~~ behavioral health disorder and presents a likelihood of serious harm or is gravely disabled;

(b) The minor is in need of evaluation and treatment of the type provided by the inpatient evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program to which continued inpatient care is sought or is in need of less restrictive alternative treatment found to be in the best interests of the minor or others;

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

(c) The minor is unwilling or unable in good faith to consent to voluntary treatment; and

(d) If commitment is for a substance use disorder, there is an available secure withdrawal management and stabilization facility or approved substance use disorder treatment program with adequate space for the minor.

~~((41))~~ (10) If the court finds that the minor meets the criteria for a fourteen-day commitment, the court shall either authorize commitment of the minor for inpatient treatment or for less restrictive alternative treatment upon such conditions as are necessary. If the court determines that the minor does not meet the criteria for a fourteen-day commitment, the minor shall be released.

~~((42))~~ (11)(a) Nothing in this section prohibits the professional person in charge of the facility from releasing the minor at any time, when, in the opinion of the professional person in charge of the facility, further inpatient treatment is no longer necessary. The release may be subject to reasonable conditions if appropriate.

(b) Whenever a minor is released under this section, the professional person in charge shall within three days, notify the court in writing of the release.

~~((43))~~ (12) A minor who has been committed for fourteen days shall be released at the end of that period unless a petition for one hundred eighty-day commitment is pending before the court.

Sec. 122. RCW 71.34.740 and 2019 c 446 s 37 are each amended to read as follows:

(1) A commitment hearing shall be held within ~~((seventy-two))~~ one hundred twenty hours of the minor's admission, excluding Saturday, Sunday, and holidays, unless a continuance is ~~((requested by the minor or the minor's attorney))~~ ordered under section 88 of this act.

(2) The commitment hearing shall be conducted at the superior court or an appropriate place at the facility in which the minor is being detained.

(3) At the commitment hearing, the evidence in support of the petition shall be presented by the county prosecutor.

(4) The minor shall be present at the commitment hearing unless the minor, with the assistance of the minor's attorney, waives the right to be present at the hearing.

(5) If the parents are opposed to the petition, they may be represented at the hearing and shall be entitled to court-appointed counsel if they are indigent.

(6) At the commitment hearing, the minor shall have the following rights:

- (a) To be represented by an attorney;
- (b) To present evidence on his or her own behalf;
- (c) To question persons testifying in support of the petition.

(7) If the hearing is for commitment for mental health treatment, the court at the time of the commitment hearing and before an order of commitment is entered shall inform the minor both orally and in writing that the failure to make a good faith effort to seek voluntary treatment as provided in RCW 71.34.730 will result in the loss of his or her firearm rights if the minor is subsequently detained for involuntary treatment under this section.

(8) If the minor has received medication within twenty-four hours of the hearing, the court shall be informed of that fact and of the probable effects of the medication.

~~((Rules of evidence shall not apply in fourteen day commitment hearings.~~

(40)) For a fourteen-day commitment, the court must find by a preponderance of the evidence that:

(a) The minor has a ~~((mental disorder or substance use))~~ behavioral health disorder and presents a likelihood of serious harm or is gravely disabled;

(b) The minor is in need of evaluation and treatment of the type provided by the inpatient evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program to which continued inpatient care is sought or is in need of less restrictive alternative treatment found to be in the best interests of the minor or others;

(c) The minor is unwilling or unable in good faith to consent to voluntary treatment; and

(d) If commitment is for a substance use disorder, there is an available secure withdrawal management and stabilization facility or approved substance use disorder treatment program with adequate space for the minor.

~~((44))~~ (10) If the court finds that the minor meets the criteria for a fourteen-day commitment, the court shall either authorize commitment of the minor for inpatient treatment or for less restrictive alternative treatment upon such conditions as are necessary. If the court determines that the minor does not meet the criteria for a fourteen-day commitment, the minor shall be released.

~~((42))~~ (11)(a) Nothing in this section prohibits the professional person in charge of the facility from releasing the minor at any time, when, in the opinion of the professional person in charge of the facility, further inpatient treatment is no longer necessary. The release may be subject to reasonable conditions if appropriate.

(b) Whenever a minor is released under this section, the professional person in charge shall within three days, notify the court in writing of the release.

~~((43))~~ (12) A minor who has been committed for fourteen days shall be released at the end of that period unless a petition for one hundred eighty-day commitment is pending before the court.

Sec. 123. RCW 71.34.740 and 2019 c 446 s 38 are each amended to read as follows:

(1) A commitment hearing shall be held within ~~((seventy-two))~~ one hundred twenty hours of the minor's admission, excluding Saturday, Sunday, and holidays, unless a continuance is ~~((requested by the minor or the minor's attorney))~~ ordered under section 88 of this act.

(2) The commitment hearing shall be conducted at the superior court or an appropriate place at the facility in which the minor is being detained.

(3) At the commitment hearing, the evidence in support of the petition shall be presented by the county prosecutor.

(4) The minor shall be present at the commitment hearing unless the minor, with the assistance of the minor's attorney, waives the right to be present at the hearing.

(5) If the parents are opposed to the petition, they may be represented at the hearing and shall be entitled to court-appointed counsel if they are indigent.

(6) At the commitment hearing, the minor shall have the following rights:

- (a) To be represented by an attorney;
- (b) To present evidence on his or her own behalf;
- (c) To question persons testifying in support of the petition.

(7) If the hearing is for commitment for mental health treatment, the court at the time of the commitment hearing and before an order of commitment is entered shall inform the minor both orally and in writing that the failure to make a good faith effort to seek voluntary treatment as provided in RCW 71.34.730 will result in the loss of his or her firearm rights if the minor is

subsequently detained for involuntary treatment under this section.

(8) If the minor has received medication within twenty-four hours of the hearing, the court shall be informed of that fact and of the probable effects of the medication.

~~(9) ((Rules of evidence shall not apply in fourteen day commitment hearings.~~

~~(10))~~ For a fourteen-day commitment, the court must find by a preponderance of the evidence that:

(a) The minor has a ~~((mental disorder or substance use))~~ behavioral health disorder and presents a likelihood of serious harm or is gravely disabled;

(b) The minor is in need of evaluation and treatment of the type provided by the inpatient evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program to which continued inpatient care is sought or is in need of less restrictive alternative treatment found to be in the best interests of the minor or others; and

(c) The minor is unwilling or unable in good faith to consent to voluntary treatment.

~~((11))~~ (10) If the court finds that the minor meets the criteria for a fourteen-day commitment, the court shall either authorize commitment of the minor for inpatient treatment or for less restrictive alternative treatment upon such conditions as are necessary. If the court determines that the minor does not meet the criteria for a fourteen-day commitment, the minor shall be released.

~~((12))~~ (11)(a) Nothing in this section prohibits the professional person in charge of the facility from releasing the minor at any time, when, in the opinion of the professional person in charge of the facility, further inpatient treatment is no longer necessary. The release may be subject to reasonable conditions if appropriate.

(b) Whenever a minor is released under this section, the professional person in charge shall within three days, notify the court in writing of the release.

~~((13))~~ (12) A minor who has been committed for fourteen days shall be released at the end of that period unless a petition for one hundred eighty-day commitment is pending before the court.

Sec. 124. RCW 71.34.750 and 2019 c 446 s 39 and 2019 c 325 s 2008 are each reenacted and 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, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program 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. If the petition is for substance use disorder treatment, the petition may be signed by a ~~((chemical dependency))~~ substance use disorder professional instead of a mental health professional and by an advanced registered nurse practitioner instead of a 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.))~~ If the hearing is not commenced within thirty days after the filing of the petition, including extensions of time requested by the detained person or his or her attorney or the court in the administration of justice under section 88 of this act, the minor must be released. 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:

- (a) The court must find by clear, cogent, and convincing evidence that the minor:
 - (i) Is suffering from a mental disorder or substance use disorder;
 - (ii) Presents a likelihood of serious harm or is gravely disabled; and
 - (iii) Is in need of further treatment that only can be provided in a one hundred eighty-day commitment.

(b) If commitment is for a substance use disorder, the court must find that there is an available approved substance use disorder treatment program that has adequate space for the minor.

(7) In determining whether an inpatient or less restrictive alternative commitment is appropriate, great weight must be given to evidence of a prior history or pattern of decompensation and discontinuation of treatment resulting in: (a) Repeated hospitalizations; or (b) repeated peace officer interventions resulting in juvenile charges. Such evidence may be used to provide a factual basis for concluding that the minor would not receive, if released, such care as is essential for his or her health or safety.

(8)(a) 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 to the custody of the director for further inpatient mental health treatment, to an approved substance use disorder treatment program for further substance use disorder treatment, or to a private treatment and evaluation facility for inpatient

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

mental health or substance use disorder treatment 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.

(b) If the court determines that the minor does not meet the criteria for one hundred eighty-day commitment, the minor shall be released.

~~((8))~~ (9) 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))~~ three days prior to the expiration of the previous one hundred eighty-day commitment order.

Sec. 125. RCW 71.34.750 and 2019 c 446 s 40 and 2019 c 325 s 2009 are each reenacted and 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, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program 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. If the petition is for substance use disorder treatment, the petition may be signed by a ~~((chemical dependency))~~ substance use disorder professional instead of a mental health professional and by an advanced registered nurse practitioner instead of a 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.))~~ If the hearing is not commenced within thirty days after the filing of the petition, including extensions of time requested by the detained person or his or her attorney or the court in the administration of justice under section 88 of this act, the minor must be released. 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 or substance use 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) In determining whether an inpatient or less restrictive alternative commitment is appropriate, great weight must be given to evidence of a prior history or pattern of decompensation and discontinuation of treatment resulting in: (a) Repeated hospitalizations; or (b) repeated peace officer interventions resulting in juvenile charges. Such evidence may be used to provide a factual basis for concluding that the minor would not receive, if released, such care as is essential for his or her health or safety.

~~((8))~~(a) 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 to the custody of the director for further inpatient mental health treatment, to an approved substance use disorder treatment program for further substance use disorder treatment, or to a private treatment and evaluation facility for inpatient mental health or substance use disorder treatment 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.

(b) If the court determines that the minor does not meet the criteria for one hundred eighty-day commitment, the minor shall be released.

~~((8))~~ (9) 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))~~ three days prior to the expiration of the previous one hundred eighty-day commitment order.

NEW SECTION. Sec. 126. A new section is added to chapter 71.34 RCW to read as follows:

(1) Less restrictive alternative treatment, at a minimum, must include the following services:

- (a) Assignment of a care coordinator;
- (b) An intake evaluation with the provider of the less restrictive alternative treatment;
- (c) A psychiatric evaluation;
- (d) A schedule of regular contacts with the provider of the less restrictive alternative treatment services for the duration of the order;
- (e) A transition plan addressing access to continued services at the expiration of the order;
- (f) An individual crisis plan; and

(g) Notification to the care coordinator assigned in (a) of this subsection if reasonable efforts to engage the client fail to produce substantial compliance with court-ordered treatment conditions.

(2) Less restrictive alternative treatment may include the following additional services:

- (a) Medication management;
- (b) Psychotherapy;
- (c) Nursing;
- (d) Substance abuse counseling;
- (e) Residential treatment; and
- (f) Support for housing, benefits, education, and employment.

(3) If the minor was provided with involuntary medication during the involuntary commitment period, the less restrictive alternative treatment order may authorize the less restrictive alternative treatment provider or its designee to administer involuntary antipsychotic medication to the person if the provider has attempted and failed to obtain the informed consent of the person and there is a concurring medical opinion approving the medication by a psychiatrist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, or physician or physician assistant in consultation with an independent mental health professional with prescribing authority.

(4) Less restrictive alternative treatment must be administered by a provider that is certified or licensed to provide or coordinate the full scope of services required under the less restrictive alternative order and that has agreed to assume this responsibility.

(5) The care coordinator assigned to a minor ordered to less restrictive alternative treatment must submit an individualized plan for the minor's treatment services to the court that entered the order. An initial plan must be submitted as soon as possible following the intake evaluation and a revised plan must be submitted upon any subsequent modification in which a type of service is removed from or added to the treatment plan.

(6) For the purpose of this section, "care coordinator" means a clinical practitioner who coordinates the activities of less restrictive alternative treatment. The care coordinator coordinates activities with the designated crisis responders that are necessary for enforcement and continuation of less restrictive alternative treatment orders and is responsible for coordinating service activities with other agencies and establishing and maintaining a therapeutic relationship with the individual on a continuing basis.

Sec. 127. RCW 71.34.780 and 2019 c 446 s 41 are each amended to read as follows:

(1) If the professional person in charge of an outpatient treatment program, a designated crisis responder, or the director or secretary, as appropriate, determines that a minor is failing to adhere to the conditions of the court order for less restrictive alternative treatment or the conditions for the conditional release, or that substantial deterioration in the minor's functioning has occurred, the designated crisis responder, or the director or secretary, as appropriate, may order that the minor ~~((if committed for mental health treatment,))~~ be taken into custody and transported to an inpatient evaluation and treatment facility ~~((or, if committed for substance use disorder treatment, be taken into custody and transported to))~~, a secure withdrawal management and stabilization facility, or an approved substance use disorder treatment program (if there is an available). A secure withdrawal management and stabilization facility or approved substance use disorder treatment program that has adequate space for the minor must be available.

(2)(a) The designated crisis responder ~~((or the))~~, director, or secretary, as appropriate, shall file the order of apprehension and detention and serve it upon the minor and notify the minor's parent and the minor's attorney, if any, of the detention within two days of return. At the time of service the minor shall be informed

of the right to a hearing and to representation by an attorney. The designated crisis responder or the director or secretary, as appropriate, may modify or rescind the order of apprehension and detention at any time prior to the hearing.

(b) If the minor is involuntarily detained for revocation at an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program in a different county from where the minor was initially detained, the facility or program may file the order of apprehension, serve it on the minor and notify the minor's parents and the minor's attorney at the request of the designated crisis responder.

(3) A petition for revocation of less restrictive alternative treatment shall be filed by the designated crisis responder or the director ~~((or))~~, secretary, or facility, as appropriate, with the court in the county ~~((ordering the less restrictive alternative treatment))~~ where the minor is detained. The court shall conduct the hearing in that county. A petition for revocation of conditional release ~~((may be filed with the court in the county ordering inpatient treatment or the county where the minor on conditional release is residing))~~ must be filed in the county where the minor is detained. A petition shall describe the behavior of the minor indicating violation of the conditions or deterioration of routine functioning and a dispositional recommendation. ~~((Upon motion for good cause, the hearing may be transferred to the county of the minor's residence or to the county in which the alleged violations occurred.))~~ The hearing shall be held within seven days of the minor's return. The issues to be determined are whether the minor did or did not adhere to the conditions of the less restrictive alternative treatment or conditional release, or whether the minor's routine functioning has substantially deteriorated, and, if so, whether the conditions of less restrictive alternative treatment or conditional release should be modified or, subject to subsection (4) of this section, whether the minor should be returned to inpatient treatment. Pursuant to the determination of the court, the minor shall be returned to less restrictive alternative treatment or conditional release on the same or modified conditions or shall be returned to inpatient treatment. If the minor is returned to inpatient treatment, RCW 71.34.760 regarding the director's placement responsibility shall apply. The hearing may be waived by the minor and the minor returned to inpatient treatment or to less restrictive alternative treatment or conditional release on the same or modified conditions.

(4) A court may not order the return of a minor to inpatient treatment in a secure withdrawal management and stabilization facility or approved substance use disorder treatment program unless there is a secure withdrawal management and stabilization facility or approved substance use disorder treatment program available with adequate space for the minor.

Sec. 128. RCW 71.34.780 and 2019 c 446 s 42 are each amended to read as follows:

(1) If the professional person in charge of an outpatient treatment program, a designated crisis responder, or the director or secretary, as appropriate, determines that a minor is failing to adhere to the conditions of the court order for less restrictive alternative treatment or the conditions for the conditional release, or that substantial deterioration in the minor's functioning has occurred, the designated crisis responder, or the director or secretary, as appropriate, may order that the minor ~~((if committed for mental health treatment,))~~ be taken into custody and transported to an inpatient evaluation and treatment facility ~~((or, if committed for substance use disorder treatment, be taken into custody and transported to))~~, a secure withdrawal management and stabilization facility, or an approved substance use disorder treatment program.

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

(2)(a) The designated crisis responder (~~(or the)~~) director, or secretary, as appropriate, shall file the order of apprehension and detention and serve it upon the minor and notify the minor's parent and the minor's attorney, if any, of the detention within two days of return. At the time of service the minor shall be informed of the right to a hearing and to representation by an attorney. The designated crisis responder or the director or secretary, as appropriate, may modify or rescind the order of apprehension and detention at any time prior to the hearing.

(b) If the minor is involuntarily detained for revocation at an evaluation and treatment facility, secure withdrawal management and stabilization facility, or approved substance use disorder treatment program in a different county from where the minor was initially detained, the facility or program may file the order of apprehension, serve it on the minor and notify the minor's parents and the minor's attorney at the request of the designated crisis responder.

(3) A petition for revocation of less restrictive alternative treatment shall be filed by the designated crisis responder or the director (~~(or)~~) secretary, or facility, as appropriate, with the court in the county (~~(ordering the less restrictive alternative treatment)~~) where the minor is detained. The court shall conduct the hearing in that county. A petition for revocation of conditional release (~~(may be filed with the court in the county ordering inpatient treatment or the county where the minor on conditional release is residing)~~) must be filed in the county where the minor is detained. A petition shall describe the behavior of the minor indicating violation of the conditions or deterioration of routine functioning and a dispositional recommendation. (~~Upon motion for good cause, the hearing may be transferred to the county of the minor's residence or to the county in which the alleged violations occurred.~~) The hearing shall be held within seven days of the minor's return. The issues to be determined are whether the minor did or did not adhere to the conditions of the less restrictive alternative treatment or conditional release, or whether the minor's routine functioning has substantially deteriorated, and, if so, whether the conditions of less restrictive alternative treatment or conditional release should be modified or whether the minor should be returned to inpatient treatment. Pursuant to the determination of the court, the minor shall be returned to less restrictive alternative treatment or conditional release on the same or modified conditions or shall be returned to inpatient treatment. If the minor is returned to inpatient treatment, RCW 71.34.760 regarding the director's placement responsibility shall apply. The hearing may be waived by the minor and the minor returned to inpatient treatment or to less restrictive alternative treatment or conditional release on the same or modified conditions.

NEW SECTION. Sec. 129. A new section is added to chapter 71.34 RCW to read as follows:

The legislature recognizes the inherent authority of the judiciary under Article IV, section 1 of the state Constitution to establish rules regarding access to court records, and respectfully requests the Washington state supreme court to adopt rules regarding potential access for the following entities to the files and records of court proceedings under this chapter and chapter 71.05 RCW:

- (1) The department;
- (2) The department of health;
- (3) The authority;
- (4) The state hospitals as defined in RCW 72.23.010;
- (5) Any person who is the subject of a petition;
- (6) The attorney or guardian of the person;
- (7) Resource management services for that person; and
- (8) Service providers authorized to receive such information by resource management services.

NEW SECTION. Sec. 130. A new section is added to chapter 71.34 RCW to read as follows:

For purposes of this chapter, at any hearing the petitioner, the respondent, the witnesses, the interpreters, and the presiding judicial officer may be present and participate either in person or by video, as determined by the court. The term "video" as used in this section includes any functional equivalent. At any hearing conducted by video, the technology used must permit the judicial officer, counsel, all parties, and the witnesses to be able to see, hear, and speak, when authorized, during the hearing; to allow attorneys to use exhibits or other materials during the hearing; and to allow the respondent's counsel to be in the same location as the respondent unless otherwise requested by the respondent or the respondent's counsel. Witnesses in a proceeding may also appear in court through other means, including telephonically, pursuant to the requirements of superior court civil rule 43. Notwithstanding the foregoing, the court, upon its own motion or upon a motion for good cause by any party, may require all parties and witnesses to participate in the hearing in person rather than by video. In ruling on any such motion, the court may allow in-person or video testimony; and the court may consider, among other things, whether the respondent's alleged behavioral health disorder affects the respondent's ability to perceive or participate in the proceeding by video.

NEW SECTION. Sec. 131. A new section is added to chapter 71.05 RCW to read as follows:

For purposes of this chapter, at any hearing the petitioner, the respondent, the witnesses, the interpreters, and the presiding judicial officer may be present and participate either in person or by video, as determined by the court. The term "video" as used in this section includes any functional equivalent. At any hearing conducted by video, the technology used must permit the judicial officer, counsel, all parties, and the witnesses to be able to see, hear, and speak, when authorized, during the hearing; to allow attorneys to use exhibits or other materials during the hearing; and to allow the respondent's counsel to be in the same location as the respondent unless otherwise requested by the respondent or the respondent's counsel. Witnesses in a proceeding may also appear in court through other means, including telephonically, pursuant to the requirements of superior court civil rule 43. Notwithstanding the foregoing, the court, upon its own motion or upon a motion for good cause by any party, may require all parties and witnesses to participate in the hearing in person rather than by video. In ruling on any such motion, the court may allow in-person or video testimony; and the court may consider, among other things, whether the respondent's alleged behavioral health disorder affects the respondent's ability to perceive or participate in the proceeding by video.

NEW SECTION. Sec. 132. A new section is added to chapter 71.34 RCW to read as follows:

In addition to the responsibility provided for by RCW 43.20B.330, the parents of a minor person who is involuntarily detained pursuant to this chapter for the purpose of treatment and evaluation outside of a facility maintained and operated by the department shall be responsible for the cost of such care and treatment. In the event that an individual is unable to pay for such treatment or in the event payment would result in a substantial hardship upon the individual or his or her family, then the county of residence of such person shall be responsible for such costs. If it is not possible to determine the county of residence of the person, the cost shall be borne by the county where the person was originally detained. The department, or the authority, as appropriate, shall, pursuant to chapter 34.05 RCW, adopt standards as to (1) inability to pay in whole or in part, (2) a definition of substantial hardship, and (3) appropriate payment

schedules. Financial responsibility with respect to services and facilities of the department shall continue to be as provided in RCW 43.20B.320 through 43.20B.360 and 43.20B.370.

NEW SECTION. Sec. 133. A new section is added to chapter 71.05 RCW to read as follows:

(1) An involuntary treatment act work group is established to evaluate the effect of changes to this chapter and chapter 71.34 RCW and to evaluate vulnerabilities in the crisis system.

(2) The work group shall:

(a) Commencing September 1, 2020, meet at least three times to: (i) Identify and evaluate systems and procedures that may be required to implement one hundred twenty hour initial detention; (ii) develop recommendations to implement one hundred twenty hour initial detention statewide; and (iii) disseminate the recommendations to stakeholders and report them to the appropriate committees of the legislature by January 1, 2021.

(b) Commencing January 1, 2021, meet at least six times to evaluate: (i) The implementation of one hundred twenty hour initial detention, and the effects, if any, on involuntary behavioral health treatment capacity statewide, including the frequency of detentions, commitments, revocations of less restrictive alternative treatment, conditional release orders, single bed certifications, and no-bed reports under RCW 71.05.750; (ii) other issues related to implementation of this act; and (iii) other vulnerabilities in the involuntary treatment system.

(c)(i) Develop recommendations for operating the crisis system based on the evaluations in (b) of this subsection; and (ii) disseminate those recommendations to stakeholders and report them to the appropriate committees of the legislature no later than June 30, 2022.

(3) The work group shall be convened by the authority and shall receive technical and data gathering support from the authority, the department, and the department of social and health services as needed. The membership must consist of not more than eighteen members appointed by the governor, reflecting statewide representation, diverse viewpoints, and experience with involuntary treatment cases. Appointed members must include but not be limited to:

(a) Representatives of the authority, the department, and the department of social and health services;

(b) Certified short-term civil commitment providers and providers who accept single bed certification under RCW 71.05.745;

(c) Certified long-term inpatient care providers for involuntary patients or providers with experience providing community long-term inpatient care for involuntary patients;

(d) Prosecuting attorneys;

(e) Defense attorneys;

(f) Family members and persons with lived experience of behavioral health disorders;

(g) Advocates for persons with behavioral health disorders;

(h) Designated crisis responders;

(i) Behavioral health administrative services organizations;

(j) Managed care organizations;

(k) Law enforcement; and

(l) Judicial officers in involuntary treatment cases.

(4) Interested legislators and legislative staff may participate in the work group. The governor must request participation in the work group by a representative of tribal governments.

(5) The work group shall choose cochairs from among its members and receive staff support from the authority.

(6) This section expires June 30, 2022.

NEW SECTION. Sec. 134. The following acts or parts of acts are each repealed:

(1) RCW 71.05.360 (Rights of involuntarily detained persons) and 2019 c 446 s 13 and 2017 3rd sp.s. c 14 s 20; and

(2) RCW 71.34.370 (Antipsychotic medication and shock treatment) and 1989 c 120 s 9.

NEW SECTION. Sec. 135. RCW 71.05.525 is recodified as a section in chapter 71.34 RCW.

NEW SECTION. Sec. 136. Sections 12, 15, 25, 31, 33, 35, 38, 54, 60, 74, 80, 83, 86, and 89 of this act expire January 1, 2021.

NEW SECTION. Sec. 137. Sections 13, 16, 19 through 23, 26, 32, 34, 36, 39, 55, 61, 75, 81, 84, 87, and 90 of this act take effect January 1, 2021.

NEW SECTION. Sec. 138. Sections 13, 16, 26, 39, 45, 55, 77, 81, 84, 90, 92, and 95 of this act expire July 1, 2026.

NEW SECTION. Sec. 139. Sections 14, 17, 27, 40, 46, 56, 59, 71 78, 82, 85, 91, 93, and 96 of this act take effect July 1, 2026."

On page 1, line 1 of the title, after "act;" strike the remainder of the title and insert "amending RCW 71.05.010, 71.05.012, 71.05.025, 71.05.026, 71.05.030, 71.05.040, 71.05.050, 71.05.100, 71.05.120, 71.05.132, 71.05.150, 71.05.150, 71.05.150, 71.05.153, 71.05.153, 71.05.153, 71.05.160, 71.05.170, 71.05.180, 71.05.182, 71.05.190, 71.05.195, 71.05.201, 71.05.210, 71.05.210, 71.05.210, 71.05.212, 71.05.214, 71.05.215, 71.05.217, 71.05.217, 71.05.230, 71.05.230, 71.05.235, 71.05.235, 71.05.240, 71.05.240, 71.05.240, 71.05.280, 71.05.290, 71.05.300, 71.05.310, 71.05.320, 71.05.320, 71.05.380, 71.05.445, 71.05.455, 71.05.457, 71.05.525, 71.05.530, 71.05.585, 71.05.590, 71.05.590, 71.05.590, 71.05.720, 71.05.740, 71.05.745, 71.05.750, 71.05.750, 71.34.010, 71.34.305, 71.34.310, 71.34.355, 71.34.365, 71.34.410, 71.34.420, 71.34.500, 71.34.650, 71.34.730, 71.34.730, 71.34.740, 71.34.740, 71.34.740, 71.34.780, and 71.34.780; reenacting and amending RCW 71.05.020, 71.34.020, 71.34.600, 71.34.600, 71.34.700, 71.34.700, 71.34.710, 71.34.710, 71.34.710, 71.34.720, 71.34.720, 71.34.720, 71.34.750, and 71.34.750; adding new sections to chapter 71.05 RCW; adding new sections to chapter 71.34 RCW; recodifying RCW 71.05.525; repealing RCW 71.05.360 and 71.34.370; providing effective dates; and providing expiration dates."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 909 by Senator Dhingra to Engrossed Second Substitute Senate Bill No. 5720.

The motion by Senator Dhingra carried and striking floor amendment no. 909 was adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Second Engrossed Second Substitute Senate Bill No. 5720 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Wagoner 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 Second Engrossed Second Substitute Senate Bill No. 5720.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Second Substitute Senate Bill No. 5720 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 3; Absent, 0; Excused, 2.

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

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

Voting nay: Senators Hasegawa, Nguyen and Rolfes

Excused: Senators McCoy and Walsh

SECOND ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5720, having received the 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. 5946, by Senate Committee on Housing Stability & Affordability (originally sponsored by Nguyen, Saldaña, Hasegawa, Das and Lovelett)

Concerning the application of the state environmental policy act to temporary shelters and transitional encampments.

The bill was read on Third Reading.

Senators Nguyen and Zeiger 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. 5946.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5946 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 7; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Billig, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Stanford, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Braun, Ericksen, Hawkins, Honeyford, Padden, Salomon and Short

Excused: Senators McCoy and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 5946, having received the 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. 5591, by Senate Committee on Transportation (originally sponsored by Schoesler)

Exempting previously registered vehicles from the stolen vehicle check fee.

The bill was read on Third Reading.

MOTION

On motion of Senator Schoesler, the rules were suspended and Substitute Senate Bill No. 5591 was returned to second reading for the purpose of amendment.

MOTION

Senator Schoesler moved that the following floor amendment no. 910 by Senator Schoesler be adopted:

On page 1, line 17, after "effect" strike all material through "2019" and insert "July 1, 2020"

Senator Schoesler spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 910 by Senator Schoesler on page 1, line 17 to Substitute Senate Bill No. 5591.

The motion by Senator Schoesler carried and floor amendment no. 910 was adopted by voice vote.

MOTION

On motion of Senator Schoesler, the rules were suspended, Engrossed Substitute Senate Bill No. 5591 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Schoesler 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. 5591.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5591 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators McCoy and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 5591, having received the 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, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5457, by Senators Keiser, Saldaña, Conway, Hasegawa, Hunt and Nguyen

Naming of subcontractors by prime contract bidders on public works contracts.

The measure was read the second time.

MOTION

Senator Keiser moved that the following striking floor amendment no. 917 by Senators Keiser and Hunt be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 140.** RCW 39.30.060 and 2003 c 301 s 5 are each amended to read as follows:

(1) Every invitation to bid on a prime contract that is expected to cost one million dollars or more for the construction, alteration, or repair of any public building or public work of the state or a state agency or municipality as defined under RCW 39.04.010 or an institution of higher education as defined under RCW 28B.10.016 shall require each prime contract bidder to submit ~~((as part of the bid, or within))~~:

(a) Within one hour after the published bid submittal time, the names of the subcontractors with whom the bidder, if awarded the contract, will subcontract for performance of the work of: HVAC (heating, ventilation, and air conditioning); plumbing as described in chapter 18.106 RCW; and electrical as described in chapter 19.28 RCW, or to name itself for the work; or

(b) Within forty-eight hours after the published bid submittal time, the names of the subcontractors with whom the bidder, if awarded the contract, will subcontract for performance of the work of structural steel installation and rebar installation.

(2) The prime contract bidder shall not list more than one subcontractor for each category of work identified, unless subcontractors vary with bid alternates, in which case the prime contract bidder must indicate which subcontractor will be used for which alternate. Failure of the prime contract bidder to submit as part of the bid the names of such subcontractors or to name itself to perform such work or the naming of two or more subcontractors to perform the same work shall render the prime contract bidder's bid nonresponsive and, therefore, void.

~~((2))~~ (3) Substitution of a listed subcontractor in furtherance of bid shopping or bid peddling before or after the award of the prime contract is prohibited and the originally listed subcontractor is entitled to recover monetary damages from the prime contract bidder who executed a contract with the public entity and the substituted subcontractor but not from the public entity inviting the bid. It is the original subcontractor's burden to prove by a preponderance of the evidence that bid shopping or bid peddling occurred. Substitution of a listed subcontractor may be made by the prime contractor for the following reasons:

(a) Refusal of the listed subcontractor to sign a contract with the prime contractor;

(b) Bankruptcy or insolvency of the listed subcontractor;

(c) Inability of the listed subcontractor to perform the requirements of the proposed contract or the project;

(d) Inability of the listed subcontractor to obtain the necessary license, bonding, insurance, or other statutory requirements to perform the work detailed in the contract; ~~((e))~~

(e) Refusal or inability to provide a letter of bondability from a surety company; or

(f) The listed subcontractor is barred from participating in the project as a result of a court order or summary judgment.

~~((3))~~ (4) The requirement of this section to name the prime contract bidder's proposed ~~((HVAC, plumbing, and electrical))~~ subcontractors HVAC, plumbing, ~~((and))~~ electrical, structural steel installation, and rebar installation subcontractors who will contract directly with the prime contract bidder submitting the bid to the public entity.

~~((4))~~ (5) This section does not apply to job order contract requests for proposals under RCW ~~((39.10.130))~~ 39.10.420.

(6) The legislature finds that there are hundreds of capital construction projects completed each year which include complex contracting and bidding requirements. It is the intent of the legislature to review current subcontractor listing requirements to allow fair, transparent, and competitive bidding while prohibiting bid shopping. The capital projects advisory review board must submit a report to the governor and the appropriate committees of the legislature by November 1, 2020. The report must:

(a) Evaluate current subcontractor listing policies and practices;

(b) Recommend appropriate expansion of the number of subcontractors that may be listed in order to improve transparency and fairness without reducing competitive bidding and access to public works by minority and women-owned businesses; and

(c) Recommend possible project threshold and time frames for purposes of subcontractor listings for all scopes of work that are not required to list under law, including: The timing of subcontractor listing, bond requirements for subcontractors, general contractors standard contract request, and general contractor/construction manager and design-build applications."

On page 1, line 2 of the title, after "contracts;" strike the remainder of the title and insert "and amending RCW 39.30.060."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 917 by Senators Keiser and Hunt to Senate Bill No. 5457.

The motion by Senator Keiser carried and striking floor amendment no. 917 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Senate Bill No. 5457 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser, Zeiger, Hasegawa and King 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. 5457.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5457 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 16; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Honeyford, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick and Wilson, L.

Excused: Senators McCoy and Walsh

ENGROSSED SENATE BILL NO. 5457, having received the 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. 6037, by Senators Pedersen, Wellman, Rivers, Keiser, Dhingra, Kuderer, Cleveland, Saldaña, Randall,

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

Darneille, Rolfes, Das, Frockt, Carlyle, Wilson, C., Hunt and Stanford

MOTION

Concerning business corporations.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 6037 was substituted for Senate Bill No. 6037 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 6037 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen, Wellman, Brown and Rivers spoke in favor of passage of the bill.

Senators Padden and Ericksen spoke against passage of the bill. Senator Hasegawa spoke on passage of the bill.

MOTION

On motion of Senator Rivers, Senator Muzzall was excused.

Senators Becker and Wagoner spoke against passage of the bill.

MOTION

On motion of Senator Rivers, Senator Fortunato was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6037.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6037 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 14; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Braun, Ericksen, Fortunato, Hawkins, Holy, Honeyford, Padden, Schoesler, Sheldon, Short, Wagoner, Warnick and Wilson, L.

Excused: Senators McCoy, Muzzall and Walsh

SUBSTITUTE SENATE BILL NO. 6037, having received the 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. 5006, by Senators Takko, Fortunato, Palumbo and Mullet

Allowing the sale of wine by microbrewery license holders.

MOTION

On motion of Senator Takko, Substitute Senate Bill No. 5006 was substituted for Senate Bill No. 5006 and the substitute bill was placed on the second reading and read the second time.

Senator Takko moved that the following striking floor amendment no. 908 by Senator Takko be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 141.** A new section is added to chapter 66.24 RCW to read as follows:

(1) There is an on-premises endorsement available to any:

(a) Licensed domestic winery to sell beer, produced in Washington, by the single serving for on-premises consumption; and

(b) Licensed domestic brewery or microbrewery to sell wine, produced in Washington, by the single serving for on-premises consumption.

(2) The holder of the endorsement is limited to three offerings of beer for a domestic winery and three offerings of wine for a domestic brewery or microbrewery.

(3) The annual fee for the endorsement is two hundred dollars for each retail location."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "creating a new on-premises endorsement for domestic wineries, domestic breweries, and microbreweries; and adding a new section to chapter 66.24 RCW."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 908 by Senator Takko to Substitute Senate Bill No. 5006.

The motion by Senator Takko carried and striking floor amendment no. 908 was adopted by voice vote.

MOTION

On motion of Senator Takko, the rules were suspended, Engrossed Substitute Senate Bill No. 5006 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Takko 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. 5006.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5006 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 2; Excused, 3.

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

Absent: Senators Ericksen and Fortunato

Excused: Senators McCoy, Muzzall and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 5006, having received the 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 Billig: “Thank you. I wanted to rise to thank you for your role in naming the Person of the Year, the Washingtonian of the Year, and to recognize the Washingtonian of the Year, a resident of my district and somebody that we know in this chamber because she came in 2015 when we honored her with a resolution, actually got to speak to the body. Carla Peperzak, who at sixteen years old was a Dutch Resistance fighter, a Jewish Dutch Resistance Fighter. Survived the Holocaust. Moved to the United States. Came to Spokane and has led a life of educating young people about the Holocaust. And she is one of the most courageous, nicest, most personable, and most active ninety-six year olds that I've ever met. And I know she's going to be here on February 20 for a reception but I just wanted to honor her on the floor again today and thank you Mr. President for your role in selecting her as Washingtonian of the Year.”

REMARKS BY THE PRESIDENT

President Habib: “Thank you, Senator Billig and thank you for bringing her again to the attention of the selection committee. And yes, we will be, I'll be reminding, my office will be and I will on the floor to, remind everyone legislators are all welcome to come at the ceremony where the Washingtonian of the Year will be recognized, where Carla Peperzak that will be recognized, as well as the Organization the Year, which is the Hilltop Artists, an amazing program in Tacoma. And also, those of you from east King County will have known Doreen Marchione, the late Mayor of Redmond, Deputy Mayor Kirkland, will be receiving a legacy of service award. She passed away this last year and so we will be recognizing all of them that the governor's mansion in about a month. And certainly it would mean a lot to have legislators in attendance at that time. Thank you, Senator Billig.”

MOTION

On motion of Senator Rivers, Senators Ericksen and Fortunato were excused.

SECOND READING

SENATE BILL NO. 5282, by Senators Liias, Cleveland, Darneille, Short, Kuderer, Walsh, Brown, Randall, Dhingra, Rolfes, Billig, Das, Hunt, Keiser and Pedersen

Requiring informed consent for pelvic exams.

The measure was read the second time.

MOTION

Senator Liias moved that the following striking floor amendment no. 918 by Senator Liias be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 142. A new section is added to chapter 18.130 RCW to read as follows:

(1) A health care provider licensed under this title may not knowingly perform or authorize a student practicing under their authority to perform a pelvic examination on a patient who is anesthetized or unconscious unless:

(a) The patient or a person authorized to make health care decisions for the patient gave specific informed consent to the examination; or

(b) The examination is necessary for diagnostic or treatment purposes.

(2) A licensed health care provider who violates subsection (1) of this section is subject to discipline pursuant to this chapter, the uniform disciplinary act.

Sec. 143. RCW 18.130.180 and 2019 c 427 s 17 are each amended to read as follows:

The following conduct, acts, or conditions constitute unprofessional conduct for any license holder under the jurisdiction of this chapter:

(1) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to disciplinary action. Upon such a conviction, however, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the license holder of the crime described in the indictment or information, and of the person's violation of the statute on which it is based. For the purposes of this section, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for the conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(2) Misrepresentation or concealment of a material fact in obtaining a license or in reinstatement thereof;

(3) All advertising which is false, fraudulent, or misleading;

(4) Incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed. The use of a nontraditional treatment by itself shall not constitute unprofessional conduct, provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed;

(5) Suspension, revocation, or restriction of the individual's license to practice any health care profession by competent authority in any state, federal, or foreign jurisdiction, a certified copy of the order, stipulation, or agreement being conclusive evidence of the revocation, suspension, or restriction;

(6) Except when authorized by RCW 18.130.345, the possession, use, prescription for use, or distribution of controlled substances or legend drugs in any way other than for legitimate or therapeutic purposes, diversion of controlled substances or legend drugs, the violation of any drug law, or prescribing controlled substances for oneself;

(7) Violation of any state or federal statute or administrative rule regulating the profession in question, including any statute or rule defining or establishing standards of patient care or professional conduct or practice;

(8) Failure to cooperate with the disciplining authority by:

(a) Not furnishing any papers, documents, records, or other items;

(b) Not furnishing in writing a full and complete explanation covering the matter contained in the complaint filed with the disciplining authority;

(c) Not responding to subpoenas issued by the disciplining authority, whether or not the recipient of the subpoena is the accused in the proceeding; or

(d) Not providing reasonable and timely access for authorized representatives of the disciplining authority seeking to perform practice reviews at facilities utilized by the license holder;

(9) Failure to comply with an order issued by the disciplining authority or a stipulation for informal disposition entered into with the disciplining authority;

(10) Aiding or abetting an unlicensed person to practice when a license is required;

(11) Violations of rules established by any health agency;

TWELFTH DAY, JANUARY 24, 2020

2020 REGULAR SESSION

(12) Practice beyond the scope of practice as defined by law or rule;

(13) Misrepresentation or fraud in any aspect of the conduct of the business or profession;

(14) Failure to adequately supervise auxiliary staff to the extent that the consumer's health or safety is at risk;

(15) Engaging in a profession involving contact with the public while suffering from a contagious or infectious disease involving serious risk to public health;

(16) Promotion for personal gain of any unnecessary or inefficacious drug, device, treatment, procedure, or service;

(17) Conviction of any gross misdemeanor or felony relating to the practice of the person's profession. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(18) The procuring, or aiding or abetting in procuring, a criminal abortion;

(19) The offering, undertaking, or agreeing to cure or treat disease by a secret method, procedure, treatment, or medicine, or the treating, operating, or prescribing for any health condition by a method, means, or procedure which the licensee refuses to divulge upon demand of the disciplining authority;

(20) The willful betrayal of a practitioner-patient privilege as recognized by law;

(21) Violation of chapter 19.68 RCW or a pattern of violations of RCW 48.49.020 or 48.49.030;

(22) Interference with an investigation or disciplinary proceeding by willful misrepresentation of facts before the disciplining authority or its authorized representative, or by the use of threats or harassment against any patient or witness to prevent them from providing evidence in a disciplinary proceeding or any other legal action, or by the use of financial inducements to any patient or witness to prevent or attempt to prevent him or her from providing evidence in a disciplinary proceeding;

(23) Current misuse of:

- (a) Alcohol;
- (b) Controlled substances; or
- (c) Legend drugs;

(24) Abuse of a client or patient or sexual contact with a client or patient;

(25) Acceptance of more than a nominal gratuity, hospitality, or subsidy offered by a representative or vendor of medical or health-related products or services intended for patients, in contemplation of a sale or for use in research publishable in professional journals, where a conflict of interest is presented, as defined by rules of the disciplining authority, in consultation with the department, based on recognized professional ethical standards;

(26) Violation of RCW 18.130.420;

(27) Performing conversion therapy on a patient under age eighteen;

(28) Violation of section 1 of this act."

On page 1, line 1 of the title, after "exams;" strike the remainder of the title and insert "amending RCW 18.130.180; adding a new section to chapter 18.130 RCW; and prescribing penalties."

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

The President declared the question before the Senate to be the adoption of striking floor amendment no. 918 by Senator Liias to Senate Bill No. 5282.

The motion by Senator Liias carried and striking floor amendment no. 918 was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Senate Bill No. 5282 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias 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 Engrossed Senate Bill No. 5282.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5282 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Ericksen, McCoy, Muzzall and Walsh

ENGROSSED SENATE BILL NO. 5282, having received the 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. 5097, by Senators Cleveland, Wilson, L., Keiser and Kuderer

Concerning the licensure and certification of massage therapists and reflexologists.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5097 was substituted for Senate Bill No. 5097 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. 5097 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland 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. 5097.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5097 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Nguyen, O'Ban, Padden,

Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Ericksen, McCoy, Muzzall and Walsh

SUBSTITUTE SENATE BILL NO. 5097, having received the 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

I regret the necessity of missing the opportunity to vote on SB 6037, SB 5006, SB 5282 and SB 5097 today. At the request of the Governor I was called to a meeting in his office and was unable to return to the Senate floor in time to vote on those bills.

SENATOR RON MUZZALL, 10th Legislative District

MOTION

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

THIRD READING

SENATE BILL NO. 5197, by Senators Hobbs, Zeiger, Wagoner, Short, Bailey, Hunt, Fortunato and Keiser

Concerning the Washington national guard postsecondary education grant program.

The bill was read on Third Reading.

Senator Hobbs spoke in favor of passage of the bill.

MOTION

On motion of Senator Wilson, C., Senator Nguyen was excused.

Senators Zeiger, Holy and King 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. 5197.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5197 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 1; Absent, 0; Excused, 4.

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

Voting nay: Senator Hasegawa

Excused: Senators Ericksen, McCoy, Nguyen and Walsh

SENATE BILL NO. 5197, having received the 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. 5613, by Senators Rivers, Schoesler, Becker, Brown, Short, Warnick, Wilson, L. and Fortunato

Concerning the authority of counties to vacate a county road that abuts on a body of water if the county road is hazardous or creates a significant risk to public safety.

The bill was read on Third Reading.

Senator Rivers spoke in favor of passage of the bill.

MOTION

On motion of Senator Mullet, Senator Pedersen was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5613.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5613 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Ericksen, McCoy, Nguyen and Walsh

SENATE BILL NO. 5613, having received the 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 12:14 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Monday, January 27, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FIFTEENTH DAY

NOON SESSION

Senate Chamber, Olympia
Monday, January 27, 2020

The Senate was called to order at 12:03 p.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Malia Chea and Mr. Sam Davis, presented the Colors. Page Miss Hailey Sarber led the Senate in the Pledge of Allegiance. The prayer was offered by Brother Mustafa Mohamedali of the Islamic Center of Olympia; Ms. Meera Suresh; and Mr. Ish Singh, Gurudwara Sikh Centre of Seattle, guests of Senator Dhingra.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 23, 2020

SB 5636 Prime Sponsor, Senator Brown: Concerning fiscal notes. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5636 be substituted therefor, and the substitute bill do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6049 Prime Sponsor, Senator Liias: Creating the insurance commissioner's fraud account. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker; Muzzall and Schoesler.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6072 Prime Sponsor, Senator Rolfes: Dividing the state wildlife account into the fish, wildlife, and conservation account and the limited fish and wildlife account. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6072 be substituted therefor, and the substitute bill do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6127 Prime Sponsor, Senator Randall: Adding a graduate student to the student achievement council. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 6127 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6136 Prime Sponsor, Senator Nguyen: Updating restrictions on electronic benefit cards. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6218 Prime Sponsor, Senator Schoesler: Modifying the definition of salary for the Washington state patrol retirement system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Transportation.

January 23, 2020

SB 6219 Prime Sponsor, Senator Conway: Modifying the definition of index for the Washington state patrol retirement system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6256 Prime Sponsor, Senator Wellman: Concerning the heating oil insurance program. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 6256 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short; Stanford and Wellman.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6257 Prime Sponsor, Senator Wellman: Concerning the underground storage tank reinsurance program. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 6257 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Das; Hobbs; Liias; McCoy; Rivers; Short; Stanford and Wellman.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6281 Prime Sponsor, Senator Carlyle: Concerning the management and oversight of personal data. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 6281 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short; Stanford and Wellman.

Referred to Committee on Ways & Means.

January 23, 2020

SB 6312 Prime Sponsor, Senator Zeiger: Making the nonprofit and library fund-raising exemption permanent. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6374 Prime Sponsor, Senator Holy: Concerning apprenticeship materials for dual credit scholarship programs. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Ways & Means.

January 23, 2020

SB 6405 Prime Sponsor, Senator Stanford: Supporting student success at community and technical colleges by increasing full-time faculty and stabilizing the use of part-time faculty. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Stanford, Vice Chair and Liias.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member and Brown.

Referred to Committee on Ways & Means.

January 23, 2020

SB 6468 Prime Sponsor, Senator Randall: Repealing the legislative advisory committee to the committee on advanced tuition payment. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Rules for second reading.

January 23, 2020

SB 6492 Prime Sponsor, Senator Pedersen: Addressing workforce education investment funding through business and occupation tax reform. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6492 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias and Pedersen.

FIFTEENTH DAY, JANUARY 27, 2020

2020 REGULAR SESSION

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wagoner and Warnick.

JAY INSLEE, Governor

Referred to Committee on Housing Stability & Affordability as Senate Gubernatorial Appointment No. 9386.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Rivers; Schoesler and Wilson, L.

MOTION

On motion of Senator Liias, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

Referred to Committee on Rules for second reading.

MOTION

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

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 6136 which had been designated to the Committee on Ways & Means and was referred to the Committee on Rules.

INTRODUCTION AND FIRST READING

MOTION

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

SB 6611 by Senator Darneille

AN ACT Relating to families in conflict; amending RCW 13.32A.030, 13.32A.040, and 13.32A.150; and adding a new section to chapter 13.32A RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

SB 6612 by Senator Braun

AN ACT Relating to audit requirements for charitable organizations that provide services to homeless persons; and amending RCW 19.09.541.

Referred to Committee on Human Services, Reentry & Rehabilitation.

January 23, 2020
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.

SHILOH BURGESS, appointed January 23, 2020, for the term ending December 31, 2022, as Member of the Recreation and Conservation Funding Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Agriculture, Water, Natural Resources & Parks as Senate Gubernatorial Appointment No. 9384.

SB 6613 by Senators Rolfes, Lovelett and Saldaña

AN ACT Relating to the inspection of marine aquatic farming locations; and amending RCW 77.125.030.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

January 23, 2020
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.

HOLLY M. SILER, appointed January 23, 2020, for the term ending September 30, 2024, as Member of the Columbia Basin College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9385.

SB 6614 by Senators Takko, Wellman, Lovelett, Keiser, Randall, Stanford and Van De Wege

AN ACT Relating to establishing the rural college promise program; amending RCW 82.04.299; reenacting and amending RCW 43.79A.040; adding a new chapter to Title 28B RCW; and providing expiration dates.

Referred to Committee on Higher Education & Workforce Development.

January 23, 2020
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.

ALBERT L. TRIPP, appointed January 23, 2020, for the term ending June 30, 2023, as Member of the Housing Finance Commission.

Sincerely,

SB 6615 by Senator Wellman

AN ACT Relating to staff funding for school districts; amending RCW 28A.150.260 and 28A.150.415; creating a new section; and providing an effective date.

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

SB 6616 by Senators Liias and Van De Wege

AN ACT Relating to retirement benefits for certain employees that provided emergency medical services prior to July 27, 2003; and adding a new section to chapter 41.40 RCW.

Referred to Committee on Ways & Means.

SB 6617 by Senators Lias and Das

AN ACT Relating to accessory dwelling unit regulation; amending RCW 43.21C.495; adding new sections to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Housing Stability & Affordability.

SB 6618 by Senators Lias and Kuderer

AN ACT Relating to housing benefit districts; amending RCW 36.70A.600, 82.14.410, 84.52.010, and 29A.36.210; and adding a new chapter to Title 36 RCW.

Referred to Committee on Housing Stability & Affordability.

SB 6619 by Senators Wellman, Nguyen, Lovelett, Stanford and Das

AN ACT Relating to chemicals in drinking water; and adding a new section to chapter 90.48 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 6620 by Senators Short, Saldaña and King

AN ACT Relating to exceptions to disqualification for unemployment insurance benefits when voluntarily leaving employment due to location and the separation from a minor child; reenacting and amending RCW 50.20.050; and creating a new section.

Referred to Committee on Labor & Commerce.

SB 6621 by Senators Frockt, Braun, Brown and Keiser

AN ACT Relating to increasing tax exemption transparency and accountability; amending RCW 43.06.400, 82.33.060, and 43.88.030; and creating a new section.

Referred to Committee on Ways & Means.

SB 6622 by Senators Das, Lovelett, Rolfes, Nguyen, Cleveland, Carlyle, Hobbs, Frockt, Lias, Keiser, Stanford, Randall, Wellman, Salomon, Saldaña, Darneille, Wilson, C., Kuderer, Rivers, Hawkins, Van De Wege and Hunt

AN ACT Relating to establishing a comprehensive, statewide photovoltaic module recovery, reuse, recycling, and end-of-life program; amending RCW 70.355.010; and creating new sections.

Referred to Committee on Environment, Energy & Technology.

SB 6623 by Senators Darneille, Kuderer, Warnick, Zeiger, Das, Nguyen and Saldaña

AN ACT Relating to reducing funding restrictions for host homes; and amending RCW 74.15.020.

Referred to Committee on Housing Stability & Affordability.

SB 6624 by Senators Becker, Hasegawa, Randall, Rivers, Dhingra, Schoesler, Short, Padden, Conway, Wilson, L., Lias and Van De Wege

AN ACT Relating to submitting reports to the legislature; and adding a new section to chapter 43.01 RCW.

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

SB 6625 by Senators Nguyen, Lovelett and Frockt

AN ACT Relating to creating a supports and basic income pilot program; amending RCW 74.04.005 and 43.185C.220; adding a new section to chapter 74.62 RCW; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6626 by Senators Conway, O'Ban, Hunt, Zeiger, Hobbs, Becker, Randall, Short, Brown and Wagoner

AN ACT Relating to creating the position of military spouse liaison; and adding a new section to chapter 43.60A RCW.

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

SB 6627 by Senators Stanford, Das and Saldaña

AN ACT Relating to reducing waste associated with single-use food service products; amending RCW 70.95.080; adding a new chapter to Title 70 RCW; prescribing penalties; providing an effective date; and providing expiration dates.

Referred to Committee on Environment, Energy & Technology.

SJM 8020 by Senators Honeyford and King

Requesting the Washington state transportation commission to commence proceedings designating names to certain highways.

Referred to Committee on Transportation.

SHB 1010 by House Committee on Civil Rights & Judiciary (originally sponsored by Senn, Lovick, Chapman, Walen, Slatter, Kloba, Peterson, Valdez, Kilduff, Ryu, Fitzgibbon, Appleton, Jinkins, Macri, Wylie, Goodman, Cody, Bergquist, Doglio, Robinson, Orwall, Stanford, Ortiz-Self, Santos, Frame and Leavitt)

AN ACT Relating to the disposition of forfeited firearms by the Washington state patrol; and amending RCW 9.41.098.

Referred to Committee on Law & Justice.

MOTION

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

MOTION

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

MOTION

Senator Frockt moved adoption of the following resolution:

SENATE RESOLUTION
8663

By Senators Frockt, Hunt, Cleveland, Das, Keiser, Salomon, Van De Wege, Stanford, Lovelett, Braun, Sheldon, Schoesler, Hawkins, Wellman, Takko, Wilson, C., Zeiger, Saldaña, Dhingra, Liias, Honeyford, Carlyle, Billig, Rolfes, Kuderer, Wilson, L., Conway, Brown, Walsh, Holy, and Wagoner

WHEREAS, January 27, 2020, marks the seventy-fifth anniversary of the liberation of Auschwitz-Birkenau, the largest Nazi concentration and death camp; and

WHEREAS, January 27th was designated as International Holocaust Remembrance Day by United Nations General Assembly Resolution 60/7 in 2005; and

WHEREAS, The Holocaust was the state-sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators; and

WHEREAS, Six million Jews were murdered between 1933 and 1945; Roma, people with disabilities, and Poles were also targeted for destruction or decimation for racial, ethnic, or national reasons; and millions more, including homosexuals, Jehovah's witnesses, soviet prisoners of war, and political dissidents also suffered grievous oppression and death under Nazi tyranny; and

WHEREAS, The history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and

WHEREAS, A 2018 study by the Conference on Jewish Material Claims Against Germany revealed a disturbing lack of knowledge about the Holocaust among Americans; and

WHEREAS, There has been a dramatic rise in hate crimes and bias incidents in the last several years, including deadly attacks on the Jewish community; and

WHEREAS, The people of the State of Washington should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution, and tyranny to ensure that the tragedies of the past are never repeated; and

WHEREAS, Washington State recognizes the events of the Holocaust not only as the product of unimpeded prejudice and violence, but as a direct attack on our country's most sacred values; and

WHEREAS, It is our moral obligation to the victims and survivors of the Holocaust to spread awareness of these tragic events and to reaffirm our united stance against hate; and

WHEREAS, Deprivation of human rights based on religion does not just threaten the individual freedoms of those who are targeted, it threatens the foundations of a just society;

NOW, THEREFORE, BE IT RESOLVED, That the Senate pause in its deliberations to commemorate the seventy-fifth anniversary of the liberation of Auschwitz and observe International Holocaust Remembrance Day.

Senators Frockt, Sheldon, Carlyle, Wellman and Short spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8663.

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

INTRODUCTION OF SPECIAL GUEST

The President welcomed and introduced Mr. Arnold Zweig, an Olympia resident and survivor of the Auschwitz concentration

camp, who was seated in the gallery. Mr. Zweig was a guest of Senator Sheldon.

REMARKS BY THE PRESIDENT

President Habib: "Mr. Zweig is a survivor of the Holocaust. He was imprisoned from 1937-1945 and lost his mother at Auschwitz. He has been a long-time resident here in Olympia and owned a successful business in Shelton. A fixture in the community. But, what I want to highlight above all today on this very important day of remembrance is that he has borne witness for 75 years today. He has, through his life and through the stories he as shared, he has allowed us to have this understanding, this depth of understanding that we have. On behalf of the Senate I want to express our gratitude to him for having done that tremendous service to our state, to our country, and our world for 75 years and pledge that we in part, in our part, do everything we can to carry that legacy on. To make sure that the next 75 years, and indeed, for as long as we pledge allegiance to our flag here in the state of Washington, and we are a free people, we will continue in this state senate to recognize and remember Auschwitz. To recognize and remember the deeds of the Holocaust. Those who lost their lives. Those who survived and told the tale. So would the Senate please join me in thanking Mr. Zweig for his many years of service and sacrifice to our state."

The Senate rose in recognition of Mr. Arnold Zweig.

MOTION

Senator Dhingra moved adoption of the following resolution:

SENATE RESOLUTION
8664

By Senators Dhingra, Das, Takko, Lovelett, Billig, Hasegawa, Wilson, C., Hunt, Holy, Padden, Stanford, Kuderer, Liias, and Saldaña

WHEREAS, January 26, 2020, marked the 71st 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, India's 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, India has a strong tradition of maintaining democratic ideals through robust checks on those in power; and

WHEREAS, The first prime minister of India, Jawaharlal Nehru, wrote to caution himself and his own supporters, "We want no Caesars"; and

WHEREAS, Washington state has many cultural and economic ties to India, including more than 60,000 Indian Americans living in the 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 valuable services, resources, and jobs to the people of this state; and

WHEREAS, Indian Americans have been emigrating to the West Coast since the 19th century, working in our most vital industries including agriculture, logging, and trade; and

WHEREAS, Indian Americans reflect the values of inclusion and pluralism through their many cultural and religious identities, including Muslim, Sikh, and Hindu; and

WHEREAS, Indian Americans serve selflessly in our armed forces and in law enforcement, and 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 Republic Day 2020 as a symbol of the shared values of democracy, diversity, and inclusion, between the nation of India and both the State of Washington and the United States of America.

Senators Dhingra, Wagoner and Das spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8664.

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

MOTION

At 12:59 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Tuesday, January 28, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SIXTEENTH DAY**NOON SESSION**

Senate Chamber, Olympia
Tuesday, January 28, 2020

The Senate was called to order at 12:01 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 27, 2020

SB 5834 Prime Sponsor, Senator Hunt: Concerning the immigration status of students. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Holy; Padden and Wagoner.

Referred to Committee on Rules for second reading.

January 27, 2020

SB 6032 Prime Sponsor, Senator Hawkins: Creating a Washington apples special license plate. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 27, 2020

SB 6061 Prime Sponsor, Senator Becker: Requiring training standards in providing telemedicine services. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6061 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Keiser; Muzzall and Rivers.

MINORITY recommendation: Do not pass. Signed by Senator Van De Wege.

Referred to Committee on Rules for second reading.

January 27, 2020

SB 6083 Prime Sponsor, Senator Zeiger: Concerning travel trailers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 27, 2020

SB 6099 Prime Sponsor, Senator Hunt: Repealing the education accountability system oversight committee. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

January 27, 2020

SB 6103 Prime Sponsor, Senator Wellman: Concerning educational reporting requirements. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

January 27, 2020

SB 6128 Prime Sponsor, Senator Randall: Extending coverage during the postpartum period. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6128 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

January 27, 2020

SB 6190 Prime Sponsor, Senator Braun: Preserving the developmental disabilities community trust. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6190 be substituted therefor, and the substitute bill do

pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

January 24, 2020

SB 6228 Prime Sponsor, Senator Kuderer: Restoring voter eligibility for all persons convicted of a felony offense who are not in total confinement under the jurisdiction of the department of corrections. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6228 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Assistant Ranking Member Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

January 27, 2020

SB 6231 Prime Sponsor, Senator Kuderer: Providing a limited property tax exemption for the construction of accessory dwelling units. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 6231 be substituted therefor, and the substitute bill do pass. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Ways & Means.

January 27, 2020

SB 6251 Prime Sponsor, Senator Lovelett: Authorizing the governor to enter into compacts with federally recognized Indian tribes principally located within Washington state for the issuance of tribal license plates and vehicle registration. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 27, 2020

SB 6253 Prime Sponsor, Senator Wilson, C.: Creating a comprehensive statewide early care and education system by improving accessibility and affordability of early care and education programs for families. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6253 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Pedersen and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy and Mullet.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Padden and Wagoner.

Referred to Committee on Ways & Means.

January 27, 2020

SB 6351 Prime Sponsor, Senator Nguyen: Concerning working connections child care eligibility. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy and Padden.

Referred to Committee on Ways & Means.

January 27, 2020

SB 6363 Prime Sponsor, Senator Takko: Concerning tracked and wheeled all-terrain vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 27, 2020

SB 6378 Prime Sponsor, Senator Kuderer: Concerning residential tenant protections. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 6378 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Darneille and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Assistant Ranking Member; Zeiger, Ranking Member and Warnick.

Referred to Committee on Rules for second reading.

January 27, 2020

SB 6473 Prime Sponsor, Senator Stanford: Concerning asbestos-containing building materials. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6473 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member and Schoesler.

SIXTEENTH DAY, JANUARY 28, 2020

2020 REGULAR SESSION

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

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

Referred to Committee on Rules for second reading.

INTRODUCTION AND FIRST READING

January 27, 2020
SGA 9316 KEN A. LARSEN, reappointed on July 16, 2019, for the term ending June 30, 2023, as Member of the Housing Finance Commission. Reported by Committee on Housing Stability & Affordability

SB 6628 by Senator Carlyle
AN ACT Relating to emissions of greenhouse gases; and amending RCW 70.94.030 and 70.94.331.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Environment, Energy & Technology.

Referred to Committee on Rules for second reading.

SB 6629 by Senators Conway, Keiser, Kuderer and Hasegawa
AN ACT Relating to granting interest arbitration to employees of the department of natural resources and the liquor and cannabis board; and amending RCW 41.80.200.

Referred to Committee on Labor & Commerce.

January 27, 2020
SGA 9317 WENDY L. LAWRENCE, reappointed on July 16, 2019, for the term ending June 30, 2023, as Member of the Housing Finance Commission. Reported by Committee on Housing Stability & Affordability

SB 6630 by Senators Zeiger and Kuderer
AN ACT Relating to increasing accountability for public housing authorities; and amending RCW 35.82.230 and 43.09.260.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Housing Stability & Affordability.

Referred to Committee on Rules for second reading.

SB 6631 by Senator Saldaña
AN ACT Relating to the sales and use tax for affordable and supportive housing; and amending RCW 82.14.540.

Referred to Committee on Housing Stability & Affordability.

SUBCOMMITTEE ON BEHAVIORAL HEALTH REFERRALS

Pursuant to Senate Rule 45(13) and without objection, the Committee on Health & Long Term Care provided notice that the following measures had been re-referred to the Subcommittee on Behavioral Health:

- SENATE BILL NO. 6570;
- SENATE BILL NO. 6588;
- SENATE BILL NO. 6591;
- and SENATE BILL NO. 6600.

SB 6632 by Senator Takko
AN ACT Relating to providing additional funding for the business licensing service program administered by the department of revenue; amending RCW 19.02.075; and providing an effective date.

Referred to Committee on Ways & Means.

MOTION

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

SB 6633 by Senator Brown
AN ACT Relating to designating January as human trafficking awareness month; adding a new section to chapter 7.68 RCW; and creating a new section.

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

MESSAGE FROM THE HOUSE

January 27, 2020

MR. PRESIDENT:
The House has passed:

- ENGROSSED HOUSE BILL NO. 1058,
- HOUSE BILL NO. 1165,
- SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1332,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1520,
- SUBSTITUTE HOUSE BILL NO. 1715,
- HOUSE BILL NO. 2033,

and the same are herewith transmitted.
MELISSA PALMER, Deputy Chief Clerk

SB 6634 by Senator Warnick
AN ACT Relating to implementing policies related to expanding adolescent behavioral health care access as reviewed and recommended by the children's mental health work group; amending RCW 71.34.010, 71.34.610, 71.34.630, and 71.34.730; reenacting and amending RCW 71.34.020, 71.34.600, 71.34.750, and 71.34.750; adding a new section to chapter 71.34 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

MOTION

MOTION

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

MOTION

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

Pursuant to Rule 46 and without objection, the President announced that the Committee on Law & Justice was granted special leave to meet during the day's floor session.

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION
8665

By Senator King

WHEREAS, For over thirty years, Resolution Washington and their dispute resolution centers (DRCs) have focused on delivering effective and free or low-cost conflict resolution services in collaboration with the courts and for the public; and

WHEREAS, The DRCs seek to create safer, more peaceful communities by improving communication among community stakeholders by fostering reconciliation, reducing racial tensions, and building trust between the public and local officials; and

WHEREAS, Every DRC offers mediation, facilitation, training and mediator certification, public education, and programs tailored to meet their community's needs; and

WHEREAS, In March 2019, Sarah Augustine and the DRC of Yakima and Kittitas counties, were awarded the Washington Mediation President's Award; and

WHEREAS, The award was in recognition of the work Sarah and the DRC has done establishing Community Response teams in the Yakima Valley, bringing civil discourse and cooperation to the community through the collaboration of elected officials, law enforcement, neighborhood activists, and Heritage University students; and

WHEREAS, In May 2019, Resolution Washington was selected to receive the 2019 Access to Justice Community Leadership Award for playing a strategic, significant, and courageous leadership role in improving access to the justice system;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate remember and honor Resolution Washington for assisting to create safer, more peaceful communities in Washington by assisting residents in resolving conflicts from a position of strength and authenticity.

Senator 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. 8665.

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

MOTION

At 12:05 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, January 29, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

SEVENTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, January 29, 2020

The Senate was called to order at 10:07 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present.

The United States Navy Honor Guard, comprised of Hospital Corpsman Third Class Tom Tabbada, Hospital Corpsman Third Class Harold Dexter, Hospital Corpsman Third Class Daniel Gonzalez, and Hospital Corpsman Second Class Jonathan Sahertian presented the Colors. The Navy Band Northwest Woodwind Quintet performed the National Anthem.

Lieutenant Governor Habib led the Senate in the Pledge of Allegiance.

The prayer was offered by Captain Brian Haley, Chaplain, Navy Region Northwest, accompanied by the Navy Band Northwest Woodwind Quintet.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 28, 2020

SB 5679 Prime Sponsor, Senator Hasegawa: Concerning the mitigation of public facilities in certain cities. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5679 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

January 28, 2020

SB 6053 Prime Sponsor, Senator Conway: Establishing wage liens. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6053 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Walsh.

Referred to Committee on Ways & Means.

January 28, 2020

SB 6057 Prime Sponsor, Senator Stanford: Concerning price differentials in the sale of marijuana. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

January 28, 2020

SB 6349 Prime Sponsor, Senator Keiser: Concerning paid family and medical leave. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6349 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford; Walsh and Wellman.

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

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member and Schoesler.

Referred to Committee on Rules for second reading.

January 28, 2020

SB 6464 Prime Sponsor, Senator Wilson, L.: Concerning state building code council membership. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 6464 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

January 28, 2020

SB 6481 Prime Sponsor, Senator Cleveland: Simplifying the process for donating low-value surplus property owned by a city-owned utility. Reported by Committee on Local Government

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

Referred to Committee on Rules for second reading.

January 28, 2020

SB 6582 Prime Sponsor, Senator Hobbs: Concerning the number of fire protection district commissioners. Reported by Committee on Local Government

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

Referred to Committee on Rules for second reading.

January 28, 2020

SB 6592 Prime Sponsor, Senator Holy: Concerning tourism authorities. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das; Ericksen and Hobbs.

Referred to Committee on Local Government.

January 28, 2020

SJM 8016 Prime Sponsor, Senator Hasegawa: Concerning the federal harbor maintenance tax. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das; Ericksen and Hobbs.

Referred to Committee on Rules for second reading.

January 28, 2020

HB 1829 Prime Sponsor, Representative Chapman: Concerning veterans' assistance levies. Reported by Committee on Local Government

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

Referred to Committee on Ways & Means.

January 28, 2020

SGA 9382 RICH NAFZIGER, appointed on January 16, 2020, for the term ending June 30, 2023, as Member of the Housing Finance Commission. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das; Ericksen and Hobbs.

Referred to Committee on Housing Stability & Affordability.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

SB 6635 by Senator Fortunato

AN ACT Relating to allowing for alternative public notice of applications for coverage under the construction stormwater general permit; and amending RCW 90.48.170.

Referred to Committee on Environment, Energy & Technology.

SB 6636 by Senator Fortunato

AN ACT Relating to monitoring vaccine adverse events; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health & Long Term Care.

SB 6637 by Senators Salomon, Kuderer, Hunt, Lovelett, Wellman, and Wilson, C.

AN ACT Relating to creating a license for the operation of a wilderness therapy program; and adding a new section to chapter 43.70 RCW.

Referred to Committee on Health & Long Term Care.

SB 6638 by Senators Wilson, C., Lovelett, Randall, Nguyen, Das and Darneille

AN ACT Relating to providing reentry services to persons releasing from prison, jail, and other institutions; amending RCW 74.09.670, 10.77.150, 72.09.370, 71.24.470, and 71.24.480; reenacting and amending RCW 71.24.025 and 71.24.385; adding a new section to chapter 71.24 RCW; and creating new sections.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6639 by Senators O'Ban and Brown

AN ACT Relating to reestablishing a business and occupation tax deduction for government-funded behavioral health care; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 6640 by Senator O'Ban

AN ACT Relating to the placement and treatment of conditionally released sexually violent predators; amending RCW 71.09.080, 71.09.090, 71.09.092, 71.09.096, 71.09.130, 71.09.140, and 71.09.250; reenacting and amending RCW 71.09.020; adding a new section to chapter 71.09 RCW; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6641 by Senators O'Ban, Conway, and Wilson, C.

AN ACT Relating to increasing the availability of certified sex offender treatment providers; amending RCW 18.155.020, 18.155.030, 18.155.075, and 18.155.080; adding a new section to chapter 18.155 RCW; and decodifying RCW 18.155.900, 18.155.901, and 18.155.902.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 6642 by Senators Zeiger, O'Ban, Becker and Darneille

AN ACT Relating to providing a tax preference for rural and nonrural data centers; amending RCW 82.08.986; adding a

SEVENTEENTH DAY, JANUARY 29, 2020

2020 REGULAR SESSION

new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 6643 by Senator Takko

AN ACT Relating to combining a resolution proposing abandonment and a resolution proposing a council-manager plan of government into a single proposition; and amending RCW 35A.06.040.

Referred to Committee on Local Government.

SB 6644 by Senators Hobbs, and Wilson, C.

AN ACT Relating to creating a pilot project to provide grants to low-income families to receive financial support for acquiring legal services to assist with the guardianship appointment process; adding a new section to chapter 2.53 RCW; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 6645 by Senators Das, Carlyle, Wellman, Lovelett, Nguyen, Saldaña, Kuderer, Randall, Wilson, C., Salomon and Liias

AN ACT Relating to minimum recycled content requirements; adding a new section to chapter 42.56 RCW; adding a new chapter to Title 70 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SB 6646 by Senators Zeiger, Wilson, C. and Nguyen

AN ACT Relating to creating a pilot program for gender-responsive and trauma-informed outpatient substance abuse treatment; and adding a new section to chapter 72.09 RCW.

Referred to Committee on Health & Long Term Care.

SB 6647 by Senator Zeiger

AN ACT Relating to department of commerce data on homeless clients, spending, and performance; and creating new sections.

Referred to Committee on Housing Stability & Affordability.

SB 6648 by Senators Zeiger, Wagoner, and Wilson, C.

AN ACT Relating to establishing a pilot program to create a safe station for persons who need substance use disorder treatment; adding a new section to chapter 43.31 RCW; adding a new section to chapter 70.385 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 6649 by Senators Zeiger, Kuderer, Braun, and Wilson, C.

AN ACT Relating to establishing a local sales and use tax option to fund emergency homeless shelters; and adding a new section to chapter 82.14 RCW.

Referred to Committee on Housing Stability & Affordability.

SB 6650 by Senator Fortunato

AN ACT Relating to creating a volunteer highway sweeping program for businesses; and adding a new section to chapter 47.40 RCW.

Referred to Committee on Transportation.

SB 6651 by Senator Fortunato

AN ACT Relating to preventing the local prohibition of tenant evictions for any period of time; 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 Financial Institutions, Economic Development & Trade.

SB 6652 by Senators Nguyen, Saldaña, Lovelett and Das

AN ACT Relating to local transportation revenue options; amending RCW 35.21.870, 36.73.065, 82.14.0455, 82.80.010, and 82.80.080; and providing an effective date.

Referred to Committee on Transportation.

EHB 1058 by Representatives Irwin, Blake, Van Werven, Bergquist, Walsh, MacEwen, Shea, Jinkins, Wylie, Goodman and Barkis

AN ACT Relating to establishing permissible methods of parking a motorcycle; and amending RCW 46.61.575.

Referred to Committee on Transportation.

HB 1165 by Representatives Orwall, Dent, Blake, Fitzgibbon and Doglio

AN ACT Relating to encouraging low-water landscaping practices as a drought alleviation tool; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.90 RCW; adding a new section to chapter 39.35D RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

2ESHB 1332 by House Committee on Environment & Energy (originally sponsored by Wylie, DeBolt, Mead, Doglio, Fitzgibbon and Tharinger)

AN ACT Relating to updating and streamlining the energy facility site evaluation council operations; amending RCW 80.50.040, 80.50.060, 80.50.100, and 80.50.175; and reenacting and amending RCW 80.50.030 and 80.50.090.

Referred to Committee on Environment, Energy & Technology.

ESHB 1520 by House Committee on State Government & Tribal Relations (originally sponsored by Morgan, Hudgins, Rude, Mead, Stonier, Frame, Riccelli, Appleton, Pellicciotti, Kilduff, Doglio and Reeves)

AN ACT Relating to calendar election dates on ballot envelopes; and amending RCW 29A.40.091.

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

SHB 1715 by House Committee on Education (originally sponsored by Entenman, Boehnke, Jinkins, Ortiz-Self, Bergquist and Pollet)

AN ACT Relating to removing the ability of school districts to withhold grades and transcripts of pupils; and amending RCW 28A.635.060 and 28A.325.050.

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

HB 2033 by Representatives Chambers, Paul, Dent, Van Werven, Thai, Eslick, Lekanoff, Corry, Shewmake and Frame

AN ACT Relating to mandatory reporting of child abuse and neglect; amending RCW 26.44.080 and 26.44.030; and prescribing penalties.

Referred to Committee on Human Services, Reentry & Rehabilitation.

MOTIONS

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

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

MOTION

Senator Muzzall moved adoption of the following resolution:

SENATE RESOLUTION 8667

By Senators Muzzall, Wagoner, Braun, Hunt, Kuderer, Zeiger, Walsh, Wilson, L., Becker, Short, Carlyle, Sheldon, and Rivers

WHEREAS, The citizens of Washington State have set aside this day to honor, appreciate, and remember our Navy personnel; and

WHEREAS, The Washington State Senate has always acted to honor those who have served and are serving our country as members of the United States military; and

WHEREAS, The Navy is the military service that secures sea lanes, allowing free flow of commerce to and from our state, and the service whose power projection promotes stability for our friends and deters aggression from our foes; and

WHEREAS, Washington State is uniquely positioned, politically, economically, and geographically, to deal with the opportunities and challenges presented by Asia and the Pacific Rim countries; and

WHEREAS, Washington State Navy bases support two aircraft carriers, more than five surface ships, thirteen submarines, and one hundred sixty aircraft; and

WHEREAS, Washington State Navy installations provide 78,549 careers and infuses 10.7 billion dollars each year to Washington State's economic stability; and

WHEREAS, Washington State Navy installations are recognized for environmental stewardship successes and continue to actively assist in partnership efforts statewide; and

WHEREAS, The Navy has worked to improve salmon recovery, support southern resident orca recovery, increase orca food supply, conserve energy and water, conduct and invest hundreds of millions of dollars in marine species research, restore and protect critical habitats from development, mitigate ocean acidification, and invest in renewable energy; and

WHEREAS, Washington State naval bases consistently receive awards for the quality of life they provide to service members and family members; and

WHEREAS, Washington State-based Navy personnel and assets regularly deploy around the world to deter aggression, relieve the distressed, and aid America's friends and allies;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate celebrate the Navy and bring warm greetings and many thanks to each and every person related to the Navy's work and mission in our state.

Senators Muzzall, Randall and Wagoner spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8667.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced The Honorable Lucian Niemeyer, Acting Assistant Secretary, U.S. Navy for Energy, Installations & Environment and Rear Admiral Scott Gray, Commander, Navy Region Northwest, who were seated at the rostrum.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced U.S. Navy officers, enlisted and other personnel stationed at multiple bases across the Puget Sound who were seated in the gallery.

MOTION

At 10:30 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

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

The Senate was called to order at 10:40 a.m. by President Habib.

MOTION

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

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

SEVENTEENTH DAY, JANUARY 29, 2020

2020 REGULAR SESSION

Senator Wilson, C. moved that Christina Blocker, Senate Gubernatorial Appointment No. 9059, be confirmed as a member of the Bates Technical College Board of Trustees. Senator Wilson, C. spoke in favor of the motion.

APPOINTMENT OF CHRISTINA BLOCKER

The President declared the question before the Senate to be the confirmation of Christina Blocker, Senate Gubernatorial Appointment No. 9059, as a member of the Bates Technical College Board of Trustees.

MOTION

On motion of Senator Wilson, C., Senators Billig and Rolfes were excused.

The Secretary called the roll on the confirmation of Christina Blocker, Senate Gubernatorial Appointment No. 9059, as a member of the Bates Technical College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Billig and Rolfes

Christina Blocker, Senate Gubernatorial Appointment No. 9059, having received the constitutional majority was declared confirmed as a member of the Bates Technical College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Braun moved that Heather L. Mansy, Senate Gubernatorial Appointment No. 9060, be confirmed as a member of the Lower Columbia College Board of Trustees.

Senator Braun spoke in favor of the motion.

APPOINTMENT OF HEATHER L. MANSY

The President declared the question before the Senate to be the confirmation of Heather L. Mansy, Senate Gubernatorial Appointment No. 9060, as a member of the Lower Columbia College Board of Trustees.

MOTION

On motion of Senator Short, Senator O'Ban was excused.

The Secretary called the roll on the confirmation of Heather L. Mansy, Senate Gubernatorial Appointment No. 9060, as a member of the Lower Columbia College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Billig, O'Ban and Rolfes

Heather L. Mansy, Senate Gubernatorial Appointment No. 9060, having received the constitutional majority was declared confirmed as a member of the Lower Columbia College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hunt moved that Marilyn Glenn Sayan, Senate Gubernatorial Appointment No. 9064, be confirmed as a member of the Public Employment Relations Commission.

Senator Hunt spoke in favor of the motion.

APPOINTMENT OF MARILYN GLENN SAYAN

The President declared the question before the Senate to be the confirmation of Marilyn Glenn Sayan, Senate Gubernatorial Appointment No. 9064, as a member of the Public Employment Relations Commission.

The Secretary called the roll on the confirmation of Marilyn Glenn Sayan, Senate Gubernatorial Appointment No. 9064, as a member of the Public Employment Relations Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator O'Ban

Marilyn Glenn Sayan, Senate Gubernatorial Appointment No. 9064, having received the constitutional majority was declared confirmed as a member of the Public Employment Relations Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Keiser moved that Ollie A. Garrett, Senate Gubernatorial Appointment No. 9070, be confirmed as a member of the Liquor and Cannabis Board.

Senator Keiser spoke in favor of the motion.

APPOINTMENT OF OLLIE A. GARRETT

The President declared the question before the Senate to be the confirmation of Ollie A. Garrett, Senate Gubernatorial Appointment No. 9070, as a member of the Liquor and Cannabis Board.

The Secretary called the roll on the confirmation of Ollie A. Garrett, Senate Gubernatorial Appointment No. 9070, as a member of the Liquor and Cannabis Board and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator O'Ban

Ollie A. Garrett, Senate Gubernatorial Appointment No. 9070, having received the constitutional majority was declared confirmed as a member of the Liquor and Cannabis Board.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Lovelett moved that Steven P. Adelstein, Senate Gubernatorial Appointment No. 9084, be confirmed as a member of the Whatcom Community College Board of Trustees.

Senator Lovelett spoke in favor of the motion.

APPOINTMENT OF STEVEN P. ADELSTEIN

The President declared the question before the Senate to be the confirmation of Steven P. Adelstein, Senate Gubernatorial Appointment No. 9084, as a member of the Whatcom Community College Board of Trustees.

The Secretary called the roll on the confirmation of Steven P. Adelstein, Senate Gubernatorial Appointment No. 9084, as a member of the Whatcom 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 Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator O'Ban

Steven P. Adelstein, Senate Gubernatorial Appointment No. 9084, having received the constitutional majority was declared confirmed as a member of the Whatcom Community College Board of Trustees.

MOTION

At 12:04 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Short announced a meeting of the Republican Caucus immediately upon going at ease.

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

The Senate was called to order at 12:24 p.m. by President Habib.

MOTION

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

SECOND READING

SENATE BILL NO. 6492, by Senators Pedersen, Rolfes, and Wilson, C.

Addressing workforce education investment funding through business and occupation tax reform.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 6492 was substituted for Senate Bill No. 6492 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Pedersen moved that the following striking floor amendment no. 919 by Senator Pedersen be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 144. RCW 28C.18.200 and 2019 c 406 s 3 are each amended to read as follows:

(1) The workforce education investment accountability and oversight board is established. The board consists of seventeen members, as provided in this subsection:

(a) Four members of the legislature consisting of the chairs and ranking minority members of the respective higher education and workforce development committees of the senate and house of representatives, ex officio; and

(b) The following members appointed by the governor with the consent of the senate:

(i) Five members representing the businesses described in RCW 82.04.299 or subject to the tax rate under RCW 82.04.290(2)(a)(i);

(ii) Two members representing labor organizations, one of which must have expertise in registered apprenticeships and training a high-demand workforce and one of which must represent faculty at the four-year institutions of higher education;

(iii) Two members representing the institutions of higher education, as defined in RCW 28B.10.016, one of which must be from the four-year sector and one of which must be from the community and technical college sector;

(iv) Two members representing students, one of which must be a community and technical college student;

(v) One member representing the independent, not-for-profit higher education institutions; and

(vi) One member representing the student achievement council, established under chapter 28B.77 RCW.

SEVENTEENTH DAY, JANUARY 29, 2020

2020 REGULAR SESSION

(2) Except for ex officio and student members, board members shall hold their offices for a term of three years until their successors are appointed. Student board members shall hold one-year terms.

(3) The board shall have two cochair. One cochair shall be one of the chairs of the respective higher education and workforce development committees of the legislature and the other cochair shall be one of the board members representing the businesses described in RCW 82.04.299 or subject to the tax rate under RCW 82.04.290(2)(a)(i). The cochair shall hold the position for a one-year term. The board members shall elect the cochair annually.

(4) Nine voting members of the board constitute a quorum for the transaction of business. The board shall meet four times a year.

(5) Staff support for the board shall be provided by the workforce training and education coordinating board established in this chapter (~~28C.18 RCW~~).

(6) The purposes of the board are to:

(a) Provide guidance and recommendations to the legislature on what workforce education priorities should be funded with the workforce education investment account; and

(b) Ensure accountability that the workforce education investments funded with the workforce education investment account are producing the intended results and are effectively increasing student success and career readiness, such as by increasing retention, completion, and job placement rates.

(7) The board shall consult data from the education data center established under RCW 43.41.400 and the workforce training and education coordinating board established under this chapter (~~28C.18 RCW~~) when reviewing and determining whether workforce education investments funded from the workforce education investment account are effectively increasing student success and career readiness.

(8) The board shall report its recommendations to the appropriate committees of the legislature by August 1st of each year.

(9) For the purposes of this section, "board" means the workforce education investment accountability and oversight board established in this section.

Sec. 145. RCW 43.79.195 and 2019 c 406 s 2 are each amended to read as follows:

(1) The workforce education investment account is created in the state treasury. All revenues from the workforce investment surcharge(§) created in RCW 82.04.299 and those revenues as specified under RCW 82.04.290(2)(c) must be deposited directly into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for higher education programs, higher education operations, higher education compensation, and state-funded student aid programs. For the 2019-2021 biennium, expenditures from the account may be used for kindergarten through twelfth grade if used for career connected learning as provided for in chapter 406, Laws of 2019.

(2) Expenditures from the workforce education investment account must be used to supplement, not supplant, other federal, state, and local funding for higher education.

Sec. 146. RCW 82.04.290 and 2019 c 426 s 2 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of providing qualifying international investment management services, as to such persons, the amount of tax with respect to such business is equal to the gross income or gross proceeds of sales of the business multiplied by a rate of 0.275 percent.

(2)(a) Upon every person engaging within this state in any business activity other than or in addition to an activity taxed explicitly under another section in this chapter or subsection (1) or (3) of this section; as to such persons the amount of tax on account of such activities is equal to the gross income of the business multiplied by the rate of:

(i) 1.75 percent; or

(ii) 1.5 percent for:

(A) Any person subject to the surcharge imposed under RCW 82.04.299;

(B) Any person whose gross income of the business subject to the tax imposed under this subsection (2), for the immediately preceding calendar year, was less than one million dollars, unless (I) the person is affiliated with one or more other persons, and (II) the aggregate gross income of the business subject to the tax imposed under this subsection (2) for all affiliated persons was greater than or equal to one million dollars for the immediately preceding calendar year; and

(C) Hospitals as defined in RCW 70.41.020, including any hospital that comes within the scope of chapter 71.12 RCW if the hospital is also licensed under chapter 70.41 RCW. This subsection (2)(a)(ii)(C) must not be construed as modifying RCW 82.04.260(10).

(b) This subsection (2) includes, among others, and without limiting the scope hereof (whether or not title to materials used in the performance of such business passes to another by accession, confusion or other than by outright sale), persons engaged in the business of rendering any type of service which does not constitute a "sale at retail" or a "sale at wholesale." The value of advertising, demonstration, and promotional supplies and materials furnished to an agent by his or her principal or supplier to be used for informational, educational, and promotional purposes is not considered a part of the agent's remuneration or commission and is not subject to taxation under this section.

(c) 14.3 percent of the revenues collected under (a)(i) of this subsection (2) must be deposited into the workforce education investment account created in RCW 43.79.195.

(d)(i) To aid in the effective administration of this subsection (2), the department may require a person claiming to be subject to the 1.5 percent tax rate under (a)(ii)(B) of this subsection (2) to identify all of the person's affiliates, including their department tax registration number or unified business identifier number, as may be applicable, or to certify that the person is not affiliated with any other person. Requests under this subsection (2)(d)(i) must be in writing and may be made electronically.

(ii) If the department establishes, by clear, cogent, and convincing evidence, that a person, with intent to evade the additional taxes due under the 1.75 percent tax rate in (a)(i) of this subsection (2), failed to provide the department with complete and accurate information in response to a written request under (d)(i) of this subsection (2) within thirty days of such request, the person is ineligible for the 1.5 percent tax rate in (a)(ii) of this subsection (2) for the entire current calendar year and the following four calendar years. However, the department must waive the provisions of this subsection (2)(d)(ii) for any tax reporting period that the person is otherwise eligible for the 1.5 percent tax rate in (a)(ii) of this subsection (2) if (A) the department has not previously determined that the person failed to fully comply with (d)(i) of this subsection (2), and (B) within thirty days of the notice of additional tax due as a result of the person's failure to fully comply with (d)(i) of this subsection (2) the department determines that the person has come into full compliance with (d)(i) of this subsection (2). This subsection (2)(d) applies only with respect to persons claiming entitlement

to the 1.5 percent tax rate solely by reason of (a)(ii)(B) of this subsection (2).

(c) For the purposes of (a)(ii)(B) of this subsection (2), if a taxpayer is subject to the reconciliation provisions of RCW 82.04.462(4), and calculates gross income of the business subject to the tax imposed under this subsection (2) for the immediately preceding calendar year, or aggregate gross income of the business subject to the tax imposed under this subsection (2) for the immediately preceding calendar year for all affiliated persons, based on incomplete information, the taxpayer must correct the reporting for the current calendar year when complete information for the immediately preceding calendar year is available.

(f) For purposes of this subsection (2), the definitions in this subsection (2)(f) apply:

(i) "Affiliate" means a person that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with another person; and

(ii) "Control" means the possession, directly or indirectly, of more than eighty percent of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting shares, by contract, or otherwise.

(3)(a) Until July 1, 2040, upon every person engaging within this state in the business of performing aerospace product development for others, as to such persons, the amount of tax with respect to such business is equal to the gross income of the business multiplied by a rate of 0.9 percent.

(b) A person reporting under the tax rate provided in this subsection (3) must file a complete annual report with the department under RCW 82.32.534.

(c) "Aerospace product development" has the meaning as provided in RCW 82.04.4461.

Sec. 147. RCW 82.04.299 and 2019 c 406 s 74 are each amended to read as follows:

~~(The legislature intends to secure additional revenue via surcharges targeted towards certain industries including select advanced computing businesses.~~

The legislature intends the provisions of chapter 406, Laws of 2019 to be applied broadly in favor of application of the surcharges. To achieve this intent, any provision within chapter 406, Laws of 2019 that is deemed to be ambiguous by a court of competent jurisdiction, the board of tax appeals, or any other judicial or administrative body, should be construed in favor of application of the surcharges. The rule of statutory construction in favor of the application of the surcharge under this paragraph does not apply on or after January 1, 2022.

~~(1)(a) Beginning with business activities occurring on or after January 1, 2020, in addition to the taxes imposed under RCW 82.04.290(2), a workforce education investment surcharge is imposed on specified persons. The surcharge is equal to the total amount of tax payable by the person on business activities taxed under RCW 82.04.290(2), before application of any tax credits, multiplied by the rate of twenty percent.~~

~~(b) For specified persons who report under one or more tax classifications, this surcharge applies only to business activities taxed under RCW 82.04.290(2).~~

~~(c) The surcharge imposed under this subsection (1) must be reported and paid in a manner and frequency as required by the department.~~

~~(2) For the purposes of this section, "specified person" means a person who is not subject to the surcharge under subsection (4) of this section and who is primarily engaged within this state in any combination of the following activities:~~

~~(a) Computer software publishing or publishing and reproduction. Establishments in this industry carry out operations~~

~~necessary for producing and distributing computer software, such as designing, providing documentation, assisting in installation, and providing support services to software purchasers. These establishments may design, develop, and publish, or publish only. These establishments may publish and distribute software remotely through subscriptions and downloads;~~

~~(b) Conducting original investigation undertaken on a systematic basis to gain new knowledge or the application of research findings or other scientific knowledge for the creation of new or significantly improved products or processes. Techniques may include modeling and simulation. The industries within this industry group are defined on the basis of the domain of research and on scientific expertise of the establishment;~~

~~(c) Putting capital at risk in the process of underwriting securities issues or in making markets for securities and commodities and those acting as agents or brokers between buyers and sellers of securities and commodities, usually charging a commission;~~

~~(d) Providing expertise in the field of information technologies through one or more of the following activities: (i) Writing, modifying, testing, and supporting computer software to meet the needs of a particular customer; (ii) planning and designing computer systems that integrate computer hardware, computer software, and communication technologies; (iii) on-site management and operation of clients' computer systems and data processing facilities; or (iv) other professional and technical computer-related advice and services;~~

~~(e) Performing central banking functions, such as issuing currency, managing the nation's money supply and international reserves, holding deposits that represent the reserves of other banks and other central banks, and acting as a fiscal agent for the central government;~~

~~(f)(i) Purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services, except satellite, to businesses and households; (ii) providing specialized telecommunications services, such as satellite tracking, communications telemetry, and radar station operation; (iii) providing satellite terminal stations and associated facilities connected with one or more terrestrial systems and capable of transmitting telecommunications to, and receiving telecommunications from, satellite systems; or (iv) providing internet access services or voice over internet protocol services via client-supplied telecommunications connections. Establishments in this industry do not operate as telecommunications carriers. Mobile virtual network operators are included in this industry;~~

~~(g)(i) Acting as principals in buying or selling financial contracts, except investment bankers, securities dealers, and commodity contracts dealers; (ii) acting as agents or brokers, except securities brokerages and commodity contracts brokerages, in buying or selling financial contracts; or (iii) providing other investment services except securities and commodity exchanges, such as portfolio management, investment advice, and trust, fiduciary, and custody services;~~

~~(h) Supplying information, such as news reports, articles, pictures, and features, to the news media. This industry comprises establishments primarily engaged in providing library or archive services. These establishments are engaged in maintaining collections of documents and facilitating the use of these documents as required to meet the informational, research, educational, or recreational needs of their user. These establishments may also acquire, research, store, preserve, and generally make accessible to the public historical documents, photographs, maps, audio material, audiovisual material, and~~

SEVENTEENTH DAY, JANUARY 29, 2020

2020 REGULAR SESSION

other archival material of historical interest. All or portions of these collections may be accessible electronically. This industry comprises establishments engaged in: (i) Publishing and broadcasting content on the internet exclusively; or (ii) operating web sites that use a search engine to generate and maintain extensive databases of internet addresses and content in an easily searchable format, known as web search portals. The publishing and broadcasting establishments in this industry do not provide traditional versions of the content they publish or broadcast. They provide textual, audio, or video content of general or specific interest on the internet exclusively. Establishments known as web search portals often provide additional internet services, such as email, connections to other web sites, auctions, news, and other limited content, and serve as a home base for internet users. This industry comprises establishments primarily engaged in providing other information services, except news syndicates, libraries, archives, internet publishing and broadcasting, and web search portals;

(i) Architectural, engineering, and related services, such as drafting services, building inspection services, geophysical surveying and mapping services, surveying and mapping, except geophysical services and testing services;

(j) Retailing all types of merchandise using nonstore means, such as catalogs, toll free telephone numbers, electronic media, such as interactive television or the internet, or selling directly to consumers in a nonretail, physical environment. Included in this industry are establishments primarily engaged in retailing from catalog showrooms of mail order houses;

(k) Providing advice and assistance to businesses and other organizations on management, environmental, scientific, and technical issues;

(l) Providing infrastructure for hosting or data processing services. These establishments may provide specialized hosting activities, such as web hosting, streaming services, or application hosting, or they may provide general time share mainframe facilities to clients. Data processing establishments provide complete processing and specialized reports from data supplied by clients or provide automated data processing and data entry services;

(m) Facilitating credit intermediation by performing activities, such as arranging loans by bringing borrowers and lenders together and clearing checks and credit card transactions;

(n) Offering legal services, such as those offered by offices of lawyers, offices of notaries, and title abstract and settlement offices, and paralegal services;

(o) Operating or providing access to transmission facilities and infrastructure that they own or lease for the transmission of voice, data, text, sound, and video using wired telecommunications networks. Transmission facilities may be based on a single technology or a combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including voice over internet protocol services, wired audio and video programming distribution, and wired broadband internet services. By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry;

(p) Providing telecommunications services to other establishments in the telecommunications and broadcasting industries by forwarding and receiving communications signals via a system of satellites or reselling satellite telecommunications;

(q) Operating and maintaining switching and transmission facilities to provide communications via the airwaves. Establishments in this industry have spectrum licenses and

provide services using that spectrum, such as cellular phone services, paging services, wireless internet access, and wireless video services;

(r) Extending credit or lending funds raised by credit market borrowing, such as issuing commercial paper or other debt instruments or by borrowing from other financial intermediaries;

(s) Underwriting annuities and insurance policies and investing premiums to build up a portfolio of financial assets to be used against future claims. Direct insurance carriers are establishments that are primarily engaged in initially underwriting and assuming the risk of annuities and insurance policies. Reinsurance carriers are establishments that are primarily engaged in assuming all or part of the risk associated with an existing insurance policy originally underwritten by another insurance carrier. Industries are defined in terms of the type of risk being insured against, such as death, loss of employment because of age or disability, or property damage. Contributions and premiums are set on the basis of actuarial calculations of probable payouts based on risk factors from experience tables and expected investment returns on reserves;

(t) Merchant wholesale distribution of photographic equipment and supplies and office, computer, and computer peripheral equipment and medical, dental, hospital, ophthalmic, and other commercial and professional equipment and supplies;

(u) Operating studios and facilities for the broadcasting of programs on a subscription or fee basis. The broadcast programming is typically narrowcast in nature. These establishments produce programming in their own facilities or acquire programming from external sources. The programming material is usually delivered to a third party, such as cable systems or direct to home satellite systems, for transmission to viewers;

(v) Publishing newspapers, magazines, other periodicals, books, directories and mailing lists, and other works, such as calendars, greeting cards, and maps. These works are characterized by the intellectual creativity required in their development and are usually protected by copyright. Publishers distribute or arrange for the distribution of these works. Publishing establishments may create the works in house, or contract for, purchase, or compile works that were originally created by others. These works may be published in one or more formats, such as print or electronic form, including proprietary electronic networks. Establishments in this industry may print, reproduce, or offer direct access to the works themselves or may arrange with others to carry out such functions. Establishments that both print and publish may fill excess capacity with commercial or job printing. However, the publishing activity is still considered to be the primary activity of these establishments;

(w) Generating, transmitting, or distributing electric power. Establishments in this industry group may perform one or more of the following activities: (i) Operate generation facilities that produce electric energy; (ii) operate transmission systems that convey the electricity from the generation facility to the distribution system; or (iii) operate distribution systems that convey electric power received from the generation facility or the transmission system to the final consumer;

(x) Providing specialized design services including interior design, industrial design, graphic design, and others, but not including architectural, engineering, and computer systems design;

(y) Assigning rights to assets, such as patents, trademarks, brand names, or franchise agreements, for which a royalty payment or licensing fee is paid to the asset holder;

(z) Acting as agents in selling annuities and insurance policies or providing other employee benefits and insurance related

services, such as claims adjustment and third party administration;

(aa) Business to business electronic markets that bring together buyers and sellers of goods using the internet or other electronic means and generally receive a commission or fee for the service. Business to business electronic markets for durable and nondurable goods are included in this industry. This industry comprises wholesale trade agents and brokers acting on behalf of buyers or sellers in the wholesale distribution of goods. Agents and brokers do not take title to the goods being sold but rather receive a commission or fee for their service. Agents and brokers for all durable and nondurable goods are included in this industry;

(bb) Accepting deposits or share deposits and in lending funds from these deposits. Within this group, industries are defined on the basis of differences in the types of deposit liabilities assumed and in the nature of the credit extended;

(cc)(i) Manufacturing complete aircraft, missiles, or space vehicles; (ii) manufacturing aerospace engines, propulsion units, auxiliary equipment or parts; (iii) developing and making prototypes of aerospace products; (iv) aircraft conversion; or (v) complete aircraft or propulsion systems overhaul and rebuilding;

(dd) Advertising, public relations, and related services, such as media buying, independent media representation, outdoor advertising, direct mail advertising, advertising material distribution services, and other services related to advertising;

(ee) Providing services, such as auditing of accounting records, designing accounting systems, preparing financial statements, developing budgets, preparing tax returns, processing payrolls, bookkeeping, and billing;

(ff) The independent practice of general or specialized medicine or surgery by businesses comprised of one or more health practitioners having the degree of doctor of medicine or doctor of osteopathy. These practitioners operate private or group practices in their own offices or in the facilities of others, such as hospitals or health maintenance organization medical centers;

(gg) Providing a range of outpatient services, such as family planning, diagnosis and treatment of mental health disorders and alcohol and other substance abuse, and other general or specialized outpatient care by businesses with medical staff;

(hh) Pooling securities or other assets, except insurance and employee benefit funds, on behalf of shareholders, unit holders, or beneficiaries, by legal entities such as investment pools or funds;

(ii) Promoting the interests of an organization's members, except religious organizations, social advocacy organizations, and civic and social organizations. Examples of establishments in this industry are business associations, professional organizations, labor unions, and political organizations;

(jj) Holding the securities of or other equity interests in companies and enterprises for the purpose of owning a controlling interest or influencing management decisions or businesses that administer, oversee, and manage other establishments of the company or enterprise and that normally undertake the strategic or organizational planning and decision making role of the company or enterprise. Establishments that administer, oversee, and manage may hold the securities of the company or enterprise;

(kk) For medical and diagnostic laboratories, providing analytic or diagnostic services, including body fluid analysis and diagnostic imaging, generally to the medical profession or to the patient on referral from a health practitioner;

(ll) Serving as offices of chief executives and their advisory committees and commissions. This industry includes offices of the president, governors, and mayors, in addition to executive advisory commissions. This industry comprises government establishments serving as legislative bodies and their advisory

committees and commissions. Included in this industry are legislative bodies, such as congress, state legislatures, and advisory and study legislative commissions. This industry comprises government establishments primarily engaged in public finance, taxation, and monetary policy. Included are financial administration activities, such as monetary policy, tax administration and collection, custody and disbursement of funds, debt and investment administration, auditing activities, and government employee retirement trust fund administration. This industry comprises government establishments serving as councils and boards of commissioners or supervisors and such bodies where the chief executive is a member of the legislative body itself. This industry comprises American Indian and Alaska Native governing bodies. Establishments in this industry perform legislative, judicial, and administrative functions for their American Indian and Alaska Native lands. Included in this industry are American Indian and Alaska Native councils, courts, and law enforcement bodies. This industry comprises government establishments primarily engaged in providing general support for government. Such support services include personnel services, election boards, and other general government support establishments that are not classified elsewhere in public administration;

(mm) Providing a range of office administrative services, such as financial planning, billing and recordkeeping, personnel, and physical distribution and logistics, for others on a contract or fee basis. These establishments do not provide operating staff to carry out the complete operations of a business;

(nn) Providing professional, scientific, or technical services including marketing research, public opinion polling, photographic services, translation and interpretation services, and veterinary services. This category does not include legal services, accounting, tax preparation, bookkeeping, architectural, engineering, and related services, specialized design services, computer systems design, management, scientific and technical consulting services, scientific research and development services, or advertising services;

(oo) The independent practice of general or specialized dentistry or dental surgery by businesses comprised of one or more health practitioners having the degree of doctor of dental medicine, doctor of dental surgery, or doctor of dental science. These practitioners operate private or group practices in their own offices or in the facilities of others, such as hospitals or health maintenance organization medical centers. They may provide either comprehensive preventive, cosmetic, or emergency care, or specialize in a single field of dentistry;

(pp) The independent practice of general or specialized medicine or surgery, or general or specialized dentistry or dental surgery, by businesses comprised of one or more independent health practitioners, other than physicians and dentists;

(qq) Providing ambulatory health care services.

(3)(a)(i) For the purposes of this section, a person is primarily engaged within this state in any combination of the activities described in subsection (2) of this section if more than fifty percent of the person's cumulative gross amount reportable under this chapter during the entire current or immediately preceding calendar year was generated from engaging in any one or more of the activities described in subsection (2) of this section. For purposes of this subsection, "gross amount reportable" means the total value of products, gross proceeds of sales, and gross income of the business, reportable to the department before application of any tax deductions.

(ii) If a person was not primarily engaged within this state in any combination of the activities described in subsection (2) of this section during the immediately preceding year, and the

SEVENTEENTH DAY, JANUARY 29, 2020

2020 REGULAR SESSION

person is unsure whether the person will be subject to the workforce investment surcharge for the current calendar year until the close of the current calendar year, the person must, if necessary, file corrected returns with the department of revenue to pay any additional tax due under this section for the current calendar year. Payment of additional tax, along with corrected returns, is due and payable when the person's last return for the calendar year during which the tax liability accrued is due and payable. Additional tax due under this section is subject to penalties and interest as provided under chapter 82.32 RCW only if the tax is not paid in full by the date due as provided in this subsection (3)(a)(ii).

(b) The entire amount of gross income of the business received by a person pursuant to a contract under which the person is obligated to perform any activity described under subsection (2) of this section is deemed to be generated from engaging in any one or more of the activities described in subsection (2) of this section.

(4)) (1)(a) Beginning with business activities occurring on or after ~~(January)~~ April 1, 2020, in addition to the taxes imposed under RCW 82.04.290(2), a workforce education investment surcharge is imposed on select advanced computing businesses (as follows:

(i) For an affiliated group that has worldwide gross revenue of more than twenty-five billion dollars, but not more than one hundred billion dollars, during the entire current or immediately preceding calendar year, the surcharge is equal to the total amount of tax payable by each member of the affiliated group on all business activities taxed under RCW 82.04.290(2), before application of any tax credits, multiplied by the rate of thirty-three and one-third percent.

(ii) For an affiliated group that has worldwide gross revenue of more than one hundred billion dollars during the entire current or immediately preceding calendar year, the surcharge is equal to the total amount of tax payable by each member of the affiliated group on all business activities taxed under RCW 82.04.290(2), before application of any tax credits, multiplied by the rate of sixty-six and two-thirds percent). The surcharge is equal to the gross income of the business subject to the tax under RCW 82.04.290(2), multiplied by the rate of 1.22 percent.

(b) ~~((H))~~ Except as provided in (c) of this subsection (1), in no case will the combined surcharge imposed under this subsection ~~((4))~~ (1) paid by all members of an affiliated group be ~~((less than four million dollars or))~~ more than ~~((seven))~~ nine million dollars annually.

(c) For persons subject to the surcharge imposed under this subsection ~~((4))~~ (1) that report under one or more tax classifications, the surcharge applies only to business activities taxed under RCW 82.04.290(2).

(d) The surcharge imposed under this subsection ~~((4))~~ (1) must be reported and paid on a quarterly basis in a manner ~~((and frequency))~~ as required by the department. Returns and amounts payable under this subsection (1) are due by the last day of the month immediately following the end of the reporting period covered by the return. All other taxes must be reported and paid as required under RCW 82.32.045.

(e)(i) To aid in the effective administration of the surcharge in this subsection ~~((4))~~ (1), the department may require persons believed to be engaging in advanced computing or affiliated with a person believed to be engaging in advanced computing to disclose whether they are a member of an affiliated group and, if so, to identify all other members of the affiliated group subject to the surcharge.

(ii) If the department ~~((determines))~~ establishes, by clear, cogent, and convincing evidence, that ~~((a person))~~ one or more members of an affiliated group, with intent to evade the surcharge under this subsection ~~((4))~~ (1), failed to fully comply with this subsection ~~((4))~~ (1)(e), the ~~((seven million dollar limitation in (b) of this subsection (4) does not apply to the person's affiliated group))~~ department must assess against that person, or those persons collectively, a penalty equal to fifty percent of the amount of the total surcharge payable by all members of that affiliated group for the calendar year during which the person or persons failed to fully comply with this subsection (1)(e). The penalty under this subsection (1)(e) is in lieu of and not in addition to the evasion penalty under RCW 82.32.090(7).

(f) For the purposes of this subsection ~~((4))~~ (1) the following definitions apply:

(i) "Advanced computing" means designing or developing computer software or computer hardware, whether directly or contracting with another person, including modifications to computer software or computer hardware, cloud computing services, or operating an online marketplace, an online search engine, or online social networking platform;

(ii) "Affiliate" and "affiliated" means a person that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with another person;

(iii) "Affiliated group" means a group of two or more persons that are affiliated with each other;

(iv) "Cloud computing services" means on-demand delivery of computing resources, such as networks, servers, storage, applications, and services, over the internet;

(v) "Control" means the possession, directly or indirectly, of more than fifty percent of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting shares, by contract, or otherwise; and

(vi) "Select advanced computing business" means a person who is a member of an affiliated group with at least one member of the affiliated group engaging in the business of advanced computing, and the affiliated group has worldwide gross revenue of more than twenty-five billion dollars during the ~~((entire current or))~~ immediately preceding calendar year. A person who is primarily engaged within this state in the provision of commercial mobile service, as that term is defined in 47 U.S.C. Sec. 332(d)(1), shall not be considered a select advanced computing business. A person who is primarily engaged in this state in the operation and provision of access to transmission facilities and infrastructure that the person owns or leases for the transmission of voice, data, text, sound, and video using wired telecommunications networks shall not be considered a select advanced computing business. A person that is a "bank," "bank holding company," or "financial holding company," as those terms are defined in RCW 30A.04.010, shall not be considered a select advanced computing business.

~~((5))~~ (2) The workforce education investment surcharge~~((s))~~ under this section ~~((do))~~ does not apply to any hospital as defined in RCW 70.41.020, including any hospital that comes within the scope of chapter 71.12 RCW if the hospital is also licensed under chapter 70.41 RCW.

~~((6))~~ (3) Revenues from the surcharge~~((s))~~ under this section must be deposited directly into the workforce education investment account established in RCW 43.79.195.

~~((7))~~ (4) The department has the authority to determine through an audit or other investigation whether a person is subject to the surcharge~~((s))~~ imposed in this section. ~~((The department's determination that a person is subject to the surcharge is presumed~~

~~to be correct unless the person shows by clear, cogent, and convincing evidence that the department's determination was incorrect. The increased evidentiary standard under this subsection (7) does not apply after January 1, 2022.)~~

NEW SECTION. Sec. 148. 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. 149. The provisions of RCW 82.32.805 and 82.32.808 do not apply to this act.

NEW SECTION. Sec. 150. 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 April 1, 2020.

NEW SECTION. Sec. 151. Section 3 of this act applies beginning with gross income of the business, as defined in RCW 82.04.080, received or accrued by taxpayers, on or after April 1, 2020."

On page 1, line 2 of the title, after "reform;" strike the remainder of the title and insert "amending RCW 28C.18.200, 43.79.195, 82.04.290, and 82.04.299; creating new sections; providing an effective date; and declaring an emergency."

MOTION

Senator Braun moved that the following floor amendment no. 922 by Senator Braun be adopted:

On page 3, line 25, after "(i)" insert "Except as provided in (g) of this subsection (2)."

On page 5, after line 23, insert the following:

"(g) Beginning July 1, 2021, the rate under (a)(i) of this subsection (2) must be reduced by an amount necessary to offset the estimated increase in general fund revenues for the 2019-2021 biennium but such reduction may not exceed 0.25 percent. For the purpose of this subsection, "estimated increase in general fund revenues" means the difference between general fund revenues reflected in the November 2020 revenue forecast and in the November 2019 revenue forecast for the 2019-2021 fiscal biennium. Beginning in the 2021-2023 biennium and each biennium thereafter, the state treasurer shall transfer from the general fund to the workforce education investment account an amount equal to the revenue reduction in the 2021-2023 biennium from the rate reduction under this subsection (2)(g), increased by the fiscal growth factor."

Senators Braun and Short spoke in favor of adoption of the amendment to the striking amendment.

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

Senator Short 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 the amendment by Senator Braun on page 3, line 25 to the striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Braun and the amendment was not adopted by the following vote: Yeas, 21; Nays, 27; Absent, 1; Excused, 0.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban,

Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Absent: Senator Darneille.

MOTION

Senator Warnick moved that the following floor amendment no. 923 by Senator Warnick be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and

(D) Any person engaged in providing infrastructure for hosting or data processing services"

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

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

MOTION

On motion of Senator Wilson, C., Senator Darneille was excused.

The President declared the question before the Senate to be the adoption of floor amendment no. 923 by Senator Warnick on page 3, line 36 to the striking amendment.

The motion by Senator Warnick did not carry and floor amendment no. 923 was not adopted by voice vote.

MOTION

Senator Becker moved that the following floor amendment no. 924 by Senator Becker be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and

(D) Oncologists and cancer care entities"

Senators Becker, Short and Ericksen spoke in favor of adoption of the amendment to the striking amendment.

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

Senator Short 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 the amendment by Senator Becker on page 3, line 36 to the striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Becker and the amendment was not adopted by the following vote: Yeas, 21; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

SEVENTEENTH DAY, JANUARY 29, 2020

2020 REGULAR SESSION

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senator Darneille.

MOTION

Senator Becker moved that the following floor amendment no. 925 by Senator Becker be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and

(D) Any health care provider for whom twenty-five percent or more of their cumulative gross amount reportable under this chapter during the entire current or immediately preceding calendar year is from medicaid payments"

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

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

The President declared the question before the Senate to be the adoption of floor amendment no. 925 by Senator Becker on page 3, line 36 to the striking amendment.

The motion by Senator Becker did not carry and floor amendment no. 925 was not adopted by voice vote.

MOTION

Senator Schoesler moved that the following floor amendment no. 926 by Senator Schoesler be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and

(D) Amounts received by a health care provider for services performed on patients covered in whole, or in part, by Washington's medicaid health insurance program, including reimbursement from the program and any amounts collected from the patient as part of his or her cost-sharing obligation."

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

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

Senator Becker spoke on the adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 926 by Senator Schoesler on page 3, line 36 to the striking amendment.

The motion by Senator Schoesler did not carry and floor amendment no. 926 was not adopted by voice vote.

MOTION

Senator Short moved that the following floor amendment no. 927 by Senator Short be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and

(D) Physician's offices, outpatient care centers, medical and diagnostic laboratories, dentist's offices, offices of other health practitioners, and other ambulatory health care services

performed in a rural underserved area. For the purposes of this subsection, "rural underserved area" has the same meaning as in RCW 28B.99.010"

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

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

The President declared the question before the Senate to be the adoption of floor amendment no. 927 by Senator Short on page 3, line 36 to the striking amendment.

The motion by Senator Short did not carry and floor amendment no. 927 was not adopted by voice vote.

MOTION

Senator Short moved that the following floor amendment no. 928 by Senator Short be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and

(D) Establishments engaged in retailing prescription or nonprescription drugs and medicines such as pharmacies and drug stores"

Senators Short and Braun spoke in favor of adoption of the amendment to the striking amendment.

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

The President declared the question before the Senate to be the adoption of floor amendment no. 928 by Senator Short on page 3, line 36 to the striking amendment.

The motion by Senator Short did not carry and floor amendment no. 928 was not adopted by voice vote.

REMARKS BY THE PRESIDENT

President Habib: "The President would ask that members remember the question that is before this Senate at any given time. In this instance, these are amendments to a floor striking amendment to the underlying bill and so, if members could do their best to reserve, I know that there is always a desire to put things in context, that's fine, but in some cases entire floor speeches are spent on the underlying policy choice not the specifics of the amendment. So, if members could do their best to reserve their remarks to the amendment it would be appreciated."

MOTION

Senator Holy moved that the following floor amendment no. 929 by Senator Holy be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and

(D) Any business owned by a veteran"

Senators Holy, Short and Wagoner spoke in favor of adoption of the amendment to the striking amendment.

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

Senator Short 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 the amendment by Senator Holy on page 3, line 36 to the striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Holy and the amendment was not adopted by the following vote: Yeas, 20; Nays, 28; Absent, 1; Excused, 0.

Voting yea: Senators Becker, Braun, Brown, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Absent: Senator Ericksen.

MOTION

Senator Fortunato moved that the following floor amendment no. 930 by Senator Fortunato be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and (D) Hearing health care professionals, as defined in RCW 18.35.010"

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

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

The President declared the question before the Senate to be the adoption of floor amendment no. 930 by Senator Fortunato on page 3, line 36 to the striking amendment.

The motion by Senator Fortunato did not carry and floor amendment no. 930 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following floor amendment no. 931 by Senator Fortunato be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and (D) Ophthalmology services"

Senator Fortunato 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 floor amendment no. 931 by Senator Fortunato on page 3, line 36 to the striking amendment.

The motion by Senator Fortunato did not carry and floor amendment no. 931 was not adopted by voice vote.

MOTION

Senator Padden moved that the following floor amendment no. 932 by Senator Padden be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and (D) Substance use disorder treatment providers"

Senators Padden, Zeiger and O'Ban spoke in favor of adoption of the amendment to the striking amendment.

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

The President declared the question before the Senate to be the adoption of floor amendment no. 932 by Senator Padden on page 3, line 36 to the striking amendment.

The motion by Senator Padden did not carry and floor amendment no. 932 was not adopted by voice vote.

MOTION

Senator Brown moved that the following floor amendment no. 933 by Senator Brown be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and (D) Mental health providers"

Senators Brown, O'Ban and Becker spoke in favor of adoption of the amendment to the striking amendment.

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

The President declared the question before the Senate to be the adoption of floor amendment no. 933 by Senator Brown on page 3, line 36 to the striking amendment.

The motion by Senator Brown did not carry and floor amendment no. 933 was not adopted by voice vote.

MOTION

Senator Rivers moved that the following floor amendment no. 934 by Senator Rivers be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and (D) Dental services"

Senators Rivers and Short spoke in favor of adoption of the amendment to the striking amendment.

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

Senator Short 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 the amendment by Senator Rivers on page 3, line 36 to the striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Rivers and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

SEVENTEENTH DAY, JANUARY 29, 2020

2020 REGULAR SESSION

MOTION

Senator Brown moved that the following floor amendment no. 935 by Senator Brown be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and (D) Commercial hauling services"

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

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

The President declared the question before the Senate to be the adoption of floor amendment no. 935 by Senator Brown on page 3, line 36 to the striking amendment.

The motion by Senator Brown did not carry and floor amendment no. 935 was not adopted by voice vote.

MOTION

Senator Wilson, L. moved that the following floor amendment no. 936 by Senators Wilson L., Becker, Brown, Walsh, and Warnick be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and (D) Providers that give counseling and treatment to domestic violence victims"

Senators Wilson, L. and Short spoke in favor of adoption of the amendment to the striking amendment.

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

Senator Short 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 the amendment by Senators Wilson, L., Becker, Brown, Walsh and Warnick on page 3, line 36 to the striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senators Wilson, L., Becker, Brown, Walsh and Warnick and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Sheldon moved that the following floor amendment no. 937 by Senators Sheldon and Short be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and (D) Forestry and logging services"

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

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

The President declared the question before the Senate to be the adoption of floor amendment no. 937 by Senators Sheldon and Short on page 3, line 36 to the striking amendment.

The motion by Senator Sheldon did not carry and floor amendment no. 937 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following floor amendment no. 938 by Senator Wagoner be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and (D) Providing veterinary services"

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

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

The President declared the question before the Senate to be the adoption of floor amendment no. 938 by Senator Wagoner on page 3, line 36 to the striking amendment.

The motion by Senator Wagoner did not carry and floor amendment no. 938 was not adopted by voice vote.

MOTION

Senator Warnick moved that the following floor amendment no. 939 by Senator Warnick be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and (D) Waste management and remediation services"

Senators Warnick and Braun spoke in favor of adoption of the amendment to the striking amendment.

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

The President declared the question before the Senate to be the adoption of floor amendment no. 939 by Senator Warnick on page 3, line 36 to the striking amendment.

The motion by Senator Warnick did not carry and floor amendment no. 939 was not adopted by voice vote.

MOTION

Senator O'Ban moved that the following floor amendment no. 940 by Senator O'Ban be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert "; and (D) Any health care provider for whom seventy-five percent or more of their cumulative gross amount reportable under this chapter during the entire current or immediately preceding calendar year is from medicaid payments"

Senators O'Ban, Short and Braun spoke in favor of adoption of the amendment to the striking amendment.

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

The President declared the question before the Senate to be the adoption of floor amendment no. 940 by Senator O'Ban on page 3, line 36 to the striking amendment.

The motion by Senator O'Ban did not carry and floor amendment no. 940 was not adopted by voice vote.

MOTION

Senator O'Ban moved that the following floor amendment no. 941 by Senator O'Ban be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert ";

(D) The independent practice of general or specialized medicine or surgery by businesses comprised of one or more health practitioners having the degree of doctor of medicine or doctor of osteopathy. These practitioners operate private or group practices in their own offices or in the facilities of others, such as hospitals or health maintenance organization medical centers;

(E) Providing a range of outpatient services, such as family planning, diagnosis and treatment of mental health disorders and alcohol and other substance abuse, and other general or specialized outpatient care by businesses with medical staff;

(F) Medical and diagnostic laboratories, providing analytic or diagnostic services, including body fluid analysis and diagnostic imaging, generally to the medical profession or to the patient on referral from a health practitioner;

(G) The independent practice of general or specialized dentistry or dental surgery by businesses comprised of one or more health practitioners having the degree of doctor of dental medicine, doctor of dental surgery, or doctor of dental science. These practitioners operate private or group practices in their own offices or in the facilities of others, such as hospitals or health maintenance organization medical centers. They may provide either comprehensive preventive, cosmetic, or emergency care, or specialize in a single field of dentistry;

(H) The independent practice of general or specialized medicine or surgery, or general or specialized dentistry or dental surgery, by businesses comprised of one or more independent health practitioners, other than physicians and dentists; and

(I) Providing ambulatory health care services"

Senator 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 floor amendment no. 941 by Senator O'Ban on page 3, line 36 to the striking amendment.

The motion by Senator O'Ban did not carry and floor amendment no. 941 was not adopted by voice vote.

MOTION

Senator Padden moved that the following floor amendment no. 942 by Senator Padden be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert ";

and (D) lawyers who perform more than ten percent pro bono hours when measured against their total hours"

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

Senators Salomon 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 floor amendment no. 942 by Senator Padden on page 3, line 36 to the striking amendment.

The motion by Senator Padden did not carry and floor amendment no. 942 was not adopted by voice vote.

MOTION

Senator O'Ban moved that the following floor amendment no. 943 by Senator O'Ban be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert ";

and (D) Nursing and residential care facilities"

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

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

Senator O'Ban 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 the amendment by Senator O'Ban on page 3, line 36, to the striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator O'Ban and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Zeiger moved that the following floor amendment no. 944 by Senator Zeiger be adopted:

On page 3, line 36, after "year;" strike "and"

On page 4, line 2, after "82.04.260(10)" insert ";

and (D) Architectural, engineering, and related services, such as drafting services, building inspection services, geophysical surveying and mapping services, surveying and mapping, except geophysical services and testing services"

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

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

The President declared the question before the Senate to be the adoption of floor amendment no. 944 by Senator Zeiger on page 3, line 36 to the striking amendment.

SEVENTEENTH DAY, JANUARY 29, 2020

2020 REGULAR SESSION

The motion by Senator Zeiger did not carry and floor amendment no. 944 was not adopted by voice vote.

MOTION

Senator Zeiger moved that the following floor amendment no. 945 by Senator Zeiger be adopted:

On page 3, line 36, after "year;" strike "and"
On page 4, line 2, after "82.04.260(10)" insert "; and
(D) Motor vehicle and parts dealers"

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

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

The President declared the question before the Senate to be the adoption of floor amendment no. 945 by Senator Zeiger on page 3, line 36 to the striking amendment.

The motion by Senator Zeiger did not carry and floor amendment no. 945 was not adopted by voice vote.

MOTION

Senator Padden moved that the following floor amendment no. 948 by Senator Padden be adopted:

On page 3, line 36, after "year;" strike "and"
On page 4, line 2, after "82.04.260(10)" insert "; and (D)
optometrists"

Senators Padden and Fortunato spoke in favor of adoption of the amendment to the striking amendment.

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

The President declared the question before the Senate to be the adoption of floor amendment no. 948 by Senator Padden on page 3, line 36 to the striking amendment.

The motion by Senator Padden did not carry and floor amendment no. 948 was not adopted by voice vote.

MOTION

Senator Pedersen moved that the following floor amendment no. 920 by Senator Pedersen be adopted:

On page 17, beginning on line 9, after "business." strike all material through "business." on line 12 and insert "A person that is primarily engaged in business as a "financial institution" as defined in RCW 82.04.29004, as that section existed on January 1, 2020, shall not be considered a select advanced computing business. For purposes of this subsection (1)(f)(vi), "primarily" is determined based on gross income of the business."

Senators Pedersen and Braun 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 floor amendment no. 920 by Senator Pedersen on page 17, line 9 to the striking amendment.

The motion by Senator Pedersen carried and floor amendment no. 920 was adopted by voice vote.

MOTION

Senator Pedersen moved that the following floor amendment no. 921 by Senator Pedersen be adopted:

Beginning on page 17, line 35, strike all of section 7 and insert the following:

"NEW SECTION. Sec. 7. (1) Except as otherwise provided in this section, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

(2) Sections 1 through 3 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 April 1, 2020.

NEW SECTION. Sec. 8. Section 4 of this act applies both prospectively and retroactively to January 1, 2020."

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

Senators Pedersen and Braun 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 floor amendment no. 921 by Senator Pedersen on page 17, line 35 to the striking amendment.

The motion by Senator Pedersen carried and floor amendment no. 921 was adopted by voice vote.

MOTION

Senator Braun moved that the following floor amendment no. 946 by Senator Braun be adopted:

On page 18, after line 5, insert the following:

"NEW SECTION. Sec. 9. By July 1, 2024, the joint legislative audit and review committee must evaluate the impact of the tax rate increases under this act on the regressivity of Washington's excise tax structure on households. The joint legislative audit and review committee must specifically evaluate the amount of Washington excise tax paid by household income threshold, prior to and after April 1, 2020. If the joint legislative audit and review committee determines that the tax structure is more regressive due to the changes in this act, this act expires January 1, 2025. The joint legislative audit and review committee must notify the department of revenue and the fiscal committees of the legislature of its findings and conclusions by August 15, 2024."

On page 18, line 9, after "date;" insert "providing a contingent expiration date;"

Senators Braun, Short and Fortunato spoke in favor of adoption of the amendment to the striking amendment.

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

The President declared the question before the Senate to be the adoption of floor amendment no. 946 by Senator Braun on page 18, after line 5 to the striking amendment.

The motion by Senator Braun did not carry and floor amendment no. 946 was not adopted by voice vote.

MOTION

Senator Braun moved that the following floor amendment no. 947 by Senator Braun be adopted:

On page 18, after line 5, insert the following:

"Sec. 9. RCW 43.88.055 and 2012 1st sp.s. c 8 s 1 are each amended to read as follows:

(1) The legislature must adopt a four-year balanced budget as follows:

(a) Beginning in the 2013-2015 fiscal biennium, the legislature shall enact a balanced omnibus operating appropriations bill that leaves, in total, a positive ending fund balance in the general fund and related funds.

(b) Beginning in the 2013-2015 fiscal biennium, the projected maintenance level of the omnibus appropriations bill enacted by the legislature shall not exceed the available fiscal resources for the next ensuing fiscal biennium.

(2) For purposes of this section:

(a) "Available fiscal resources" means the beginning general fund and related fund balances and any fiscal resources estimated for the general fund and related funds, adjusted for enacted legislation, and with forecasted revenues adjusted to the greater of (i) the official general fund and related funds revenue forecast for the ensuing biennium, or (ii) the official general fund and related funds forecast for the second fiscal year of the current fiscal biennium, increased by 4.5 percent for each fiscal year of the ensuing biennium;

(b) "Projected maintenance level" means estimated appropriations necessary to maintain the continuing costs of program and service levels either funded in that appropriations bill or mandated by other state or federal law, and the amount of any general fund moneys projected to be transferred to the budget stabilization account pursuant to Article VII, section 12 of the state Constitution (~~(, but does not include in the 2013-2015 and 2015-2017 fiscal biennia the costs related to the enhanced funding under the new definition of basic education as established in chapter 548, Laws of 2009, and affirmed by the decision in *Mathew McCleary et al., v. The State of Washington*, 173 Wn.2d 477, 269 P.3d 227, (2012), from which the short term exclusion of these obligations is solely for the purposes of calculating this estimate and does not in any way indicate an intent to avoid full funding of these obligations));~~);

(c) "Related funds," as used in this section, means the Washington opportunity pathways account, the workforce education investment account, and the education legacy trust account.

(3) Subsection (1)(a) and (b) of this section does not apply to an appropriations bill that makes net reductions in general fund and related funds appropriations and is enacted between July 1st and February 15th of any fiscal year.

(4) Subsection (1)(b) of this section does not apply in a fiscal biennium in which money is appropriated from the budget stabilization account."

On page 18, line 8, after "82.04.290," strike "and 82.04.299" and insert "82.04.299, and 43.88.055"

Senators Braun and Short spoke in favor of adoption of the amendment to the striking amendment.

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

Senator Short 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 the amendment by Senator Braun on page 18, after line 5 to the striking amendment.

The Secretary called the roll on the adoption of the amendment by Senator Braun and the amendment was not adopted by the following vote: Yeas, 24; Nays, 25; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Hobbs, Holy, Honeyford, King, Mullet, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Van De Wege, Wellman and Wilson, C.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 919 by Senator Pedersen as amended to Substitute Senate Bill No. 6492.

The motion by Senator Pedersen carried and striking floor amendment no. 919 as amended was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute Senate Bill No. 6492 was advanced to third reading.

MOTION

On motion of Senator Liias, further consideration of Engrossed Substitute Senate Bill No. 6492 was deferred, and the bill held its place on the third reading calendar.

PERSONAL PRIVILEGE

Senator Hobbs: "Yes, Mr. President. I am sure many of you are already aware of this, but I think just to mention that our good friend Ron Main passed away last weekend. Ron, was a, was the type of person, the type of lobbyist, that I think all of us in this chamber, including you Mr. President having dealt with him as well, that we can all respect. It is very rare to find someone whose word is always golden, whose advice is always appreciated, and Ron was that person. And even though he was never a member of this chamber, he might as well have been because he was a strong advocate, definitely for his clients for this institution. One thing that I know about Ron, that some of you don't know, is that there is another part of his life that he didn't tell a lot of people, but I certainly do respect. See Ron, in his generation, didn't have a choice to serve his country. I enlisted because I volunteered to do so but Ron during a time of war, his generation didn't have that choice. But that didn't stop him because he decided to take a step further and take a leadership role, so he volunteered to go to Officer Candidate School. Second Lieutenant Ron Main branched Military Police after receiving his training was sent off to Vietnam. So, Mr. President if you could, if you could do a moment of silence for Ron. A dedicated professional, a friend to this institution, and a soldier and veteran who served our county in a time of war."

MOMENT OF SILENCE

The Senate rose and observed a moment of silence in memory of Mr. Ronald Main, a long-time member of the Third House, who passed away January 25, 2020.

MOTION

At 2:58 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Thursday, January 30, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

EIGHTEENTH DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, January 30, 2020

The Senate was called to order at 12:05 p.m. by the President Pro Tempore of the Senate, Senator Keiser 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 Madison Bradley and Miss Ella Bayer, presented the Colors. Page Mr. Garrett Halvorson led the Senate in the Pledge of Allegiance.

The prayer was offered by Ms. Ginger Passarelli, Auburn Police Department Chaplain. "Mama Ginger" founded The Soup Ladies, a non-profit organization which provides nutritional and fresh-cooked meals to first responders.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 28, 2020

SB 5182 Prime Sponsor, Senator Kuderer: Concerning juvenile record sealing. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5182 be substituted therefor, and the second substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 28, 2020

SB 5533 Prime Sponsor, Senator Braun: Concerning certificates of parental improvement. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Third Substitute Senate Bill No. 5533 be substituted therefor, and the third substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

January 28, 2020

SB 5744 Prime Sponsor, Senator Dhingra: Concerning commercially sexually exploited children. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5744 be substituted therefor, and the second substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

January 29, 2020

SB 6051 Prime Sponsor, Senator Cleveland: Concerning health coverage supplementing medicare part D provided through a federally authorized employer group waiver plan. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6051 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

January 29, 2020

SB 6088 Prime Sponsor, Senator Keiser: Establishing a prescription drug affordability board. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban, Ranking Member.

Referred to Committee on Ways & Means.

January 28, 2020

SB 6112 Prime Sponsor, Senator Wilson, C.: Concerning youth solitary confinement. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6112 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

January 28, 2020

SB 6137 Prime Sponsor, Senator Mullet: Reauthorizing the business and occupation tax deduction for cooperative finance organizations. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 6137 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das; Ericksen and Hobbs.

Referred to Committee on Ways & Means.

January 29, 2020

SB 6152 Prime Sponsor, Senator Salomon: Concerning certification of the level of foreign national ownership for corporations that participate in Washington state elections. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6152 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Assistant Ranking Member Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

January 29, 2020

SB 6284 Prime Sponsor, Senator Hunt: Concerning leave balances allowed for an eligibility employee to participate in the shared leave program. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

January 28, 2020

SB 6309 Prime Sponsor, Senator Lovelett: Expanding access to nutritious food. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6309 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

January 29, 2020

SB 6313 Prime Sponsor, Senator Liias: Increasing opportunities for young voters. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6313 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: Do not pass. Signed by Senators Muzzall, Assistant Ranking Member; Zeiger, Ranking Member and Hawkins.

Referred to Committee on Rules for second reading.

January 29, 2020

SB 6361 Prime Sponsor, Senator Kuderer: Concerning the administration of election campaign activities and reporting statements of financial affairs. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6361 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

Referred to Committee on Ways & Means.

January 29, 2020

SB 6383 Prime Sponsor, Senator Conway: Concerning the retirement strategy funds in the plan 3 and the deferred compensation programs. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

January 29, 2020

SB 6418 Prime Sponsor, Senator Holy: Concerning the definition of period of war for pensions. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Wagoner; Warnick and Wilson, L.

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

Referred to Committee on Rules for second reading.

January 28, 2020

SB 6422 Prime Sponsor, Senator Darneille: Establishing the family connections program. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6422 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

January 29, 2020

SB 6455 Prime Sponsor, Senator Liias: Requiring default beverages for children's meals. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6455 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

January 28, 2020

SGA 9292 JAMES A. MCDEVITT, reappointed on April 17, 2019, for the term ending September 25, 2022, as Member of the Clemency and Pardons Board. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 29, 2020

SGA 9365 NANCY L. ISSERLIS, appointed on January 3, 2020, for the term ending December 31, 2024, as Member of the Public Disclosure Commission. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

SUBCOMMITTEE ON BEHAVIORAL HEALTH REFERRALS

Pursuant to Senate Rule 45(13) and without objection, notice was received from the Committee on Health & Long Term Care that the following measures had been re-referred to the Subcommittee on Behavioral Health:

Senate Bill No. 6634;
Senate Bill No. 6646;
and Senate Bill No. 6648.

MOTION

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

MOTION

Pursuant to Rule 46, on motion of Senator Liias, and without objection, the Committee on Law & Justice was granted special leave to meet during the day's floor session.

MOTION

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

MESSAGE FROM THE HOUSE

January 29, 2020

MR. PRESIDENT:

The House has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
1110,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1622,
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6653 by Senators Hunt, Rivers, Holy, Hawkins, Conway and Wagoner

AN ACT Relating to skill center class sizes; and amending RCW 28A.150.260.

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

SB 6654 by Senators Mullet, and Wilson, L.

AN ACT Relating to providing that qualified dealer cash incentives paid to auto dealers are bona fide discounts for purposes of the business and occupation tax; adding a new section to chapter 82.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6655 by Senator Fortunato

AN ACT Relating to background checks for public school employees; amending RCW 28A.400.303; and reenacting and amending RCW 28A.410.010.

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

SB 6656 by Senators Hasegawa and Mullet

AN ACT Relating to engaging with key international markets; adding a new section to chapter 43.330 RCW; and making an appropriation.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 6657 by Senators Stanford and Rivers

AN ACT Relating to preventing youth marijuana consumption by updating marijuana advertising requirements; amending RCW 69.50.369 and 69.50.345; reenacting and amending RCW 69.50.345; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Labor & Commerce.

MOTIONS

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

EIGHTEENTH DAY, JANUARY 30, 2020

2020 REGULAR SESSION

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 6492, by Senate Committee on Ways & Means (originally sponsored by Pedersen, Rolfes, and Wilson, C.)

MOTION

Senator Brown moved adoption of the following resolution:

Addressing workforce education investment funding through business and occupation tax reform.

SENATE RESOLUTION
8668

The bill was read on Third Reading.

By Senator Brown

Senators Pedersen and Frockt spoke in favor of passage of the bill.

WHEREAS, Human trafficking is a scourge that affects thousands of adults and children across the United States; and

Senators Braun, Schoesler, Wagoner, Becker, Fortunato and Ericksen spoke against passage of the bill.

WHEREAS, The United States is a source, transit, and destination country for men, women, and children subjected to forced labor, debt bondage, document servitude, and sex trafficking; and

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6492.

WHEREAS, According to the National Human Trafficking Hotline, the number of human trafficking cases reported in Washington doubled between 2012 and 2017; and

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6492 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

WHEREAS, The National Human Trafficking Hotline has fielded over three thousand calls from Washington since 2007 and identified over one thousand five hundred potential victims of human trafficking; and

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

WHEREAS, In a recent study by the Human Trafficking Institute, Washington ranked thirteenth in the nation for active cases in its federal courts; and

Voting nay: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

WHEREAS, The United States Department of Justice Child Exploitation and Obscenity Section reports twelve is the average age of entry into pornography and prostitution in the United States; and

WHEREAS, Child victims are often runaways and homeless youth; and

ENGROSSED SUBSTITUTE SENATE BILL NO. 6492, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

WHEREAS, The Attorney General maintains a web site intended to serve as a hub for victims of human trafficking, watraffickinghelp.org; and

MOTION

WHEREAS, January serves as an ideal time to increase awareness and understanding for how to identify signs of human trafficking and act as a deterrent;

At 12:52 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Friday, January 31, 2020.

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate encourage the people of Washington to be vigilant for signs of human trafficking and be aware of the state and federal resources related to deterring human trafficking.

KAREN KEISER, President Pro Tempore of the Senate

Senators Brown and Wilson, C. spoke in favor of adoption of the resolution.

BRAD HENDRICKSON, Secretary of the Senate

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8668.

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

MOTION

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

The senate resumed consideration of Engrossed Substitute Senate Bill No. 6492 which had been deferred on the previous legislative day.

THIRD READING

NINETEENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, January 31, 2020

The Senate was called to order at 10:01 a.m. by the Vice President Pro Tempore, Senator Conway presiding. The Secretary called the roll and announced to the Vice President Pro Tempore that all senators were present with the exceptions of Senators Ericksen, Holy and McCoy.

The Sergeant at Arms Color Guard consisting of Pages Mr. Darius Naini and Mr. Tyler Conley, presented the Colors. Page Miss Ashleigh Williams led the Senate in the Pledge of Allegiance. An invocation was offered by Celebrant Jennifer Chamberlain of American Humanist Society, Bremerton.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 29, 2020

SB 5504 Prime Sponsor, Senator Warnick: Concerning state agency employee access to peer-reviewed journals. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5504 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 5984 Prime Sponsor, Senator Wellman: Concerning language understanding of documents used in dissolution proceedings. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5984 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6022 Prime Sponsor, Senator Zeiger: Concerning fentanyl. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6022 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6058 Prime Sponsor, Senator Randall: Concerning fire district health clinic services. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 6058 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6065 Prime Sponsor, Senator Brown: Establishing the Washington blockchain work group. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 6065 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member Fortunato, Assistant Ranking Member, Environment.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6139 Prime Sponsor, Senator Mullet: Extending the joint center for aerospace technology innovation program. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 6139 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun and Hobbs.

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

Referred to Committee on Ways & Means.

January 30, 2020

SB 6148 Prime Sponsor, Senator Salomon: Concerning peace officer certification. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6148 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice

NINETEENTH DAY, JANUARY 31, 2020

2020 REGULAR SESSION

Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6163 Prime Sponsor, Senator Dhingra: Concerning unlawful possession of firearms for persons free on bond or personal recognizance pending trial, appeal, or sentencing for felony charges under RCW 46.61.502(6) and 46.61.504(6). Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6164 Prime Sponsor, Senator Dhingra: Concerning prosecutorial discretion to seek resentencing. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6210 Prime Sponsor, Senator Lovelett: Concerning antifouling paints on recreational water vessels. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short; Stanford and Wellman.

Referred to Committee on Ways & Means.

January 30, 2020

SB 6213 Prime Sponsor, Senator Das: Concerning certain expanded polystyrene products. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 6213 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Das; Liias; McCoy; Nguyen; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Rivers and Short.

Referred to Committee on Ways & Means.

January 30, 2020

SB 6214 Prime Sponsor, Senator Keiser: Installing, repairing, replacing, and updating mitigation equipment installed within an impacted area. Reported by Committee on Local Government

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

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6215 Prime Sponsor, Senator Braun: Establishing a collaborative process to alleviate the burden on local courts to determine indigency through proof of receipt of public assistance. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6215 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6236 Prime Sponsor, Senator Kuderer: Concerning certain noneconomic damage waivers. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Kuderer and Salomon.

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

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6252 Prime Sponsor, Senator Van De Wege: Concerning the authority of the parks and recreation commission to approve leases. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Ways & Means.

January 30, 2020

SB 6266 Prime Sponsor, Senator Padden: Concerning seizure and forfeiture reporting. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6266 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Ways & Means.

January 30, 2020

SB 6268 Prime Sponsor, Senator Rolfes: Preventing abusive litigation between intimate partners. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6268 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Ways & Means.

January 30, 2020

SB 6287 Prime Sponsor, Senator Pedersen: Concerning guardianships and conservatorships. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6287 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6300 Prime Sponsor, Senator Rivers: Concerning animal welfare. 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 Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member and Wilson, L.

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

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6316 Prime Sponsor, Senator 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 Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6324 Prime Sponsor, Senator Takko: Concerning special purpose district financial reporting. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 6324 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair Short, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6342 Prime Sponsor, Senator Dhingra: Concerning chemical contaminants in drinking water. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 6342 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Das; Hobbs; Liias; McCoy; Nguyen; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Sheldon, Assistant Ranking Member, Energy & Technology; Brown and Rivers.

Referred to Committee on Ways & Means.

January 30, 2020

SB 6382 Prime Sponsor, Senator Ericksen: Concerning state-inspected commercial custom meat facilities. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6382 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Ways & Means.

January 30, 2020

SB 6402 Prime Sponsor, Senator Rivers: Concerning the use of a stolen firearm. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6402 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6408 Prime Sponsor, Senator Wilson, L.: Concerning agency responsibilities to regulated businesses and professions. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 6408 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice

NINETEENTH DAY, JANUARY 31, 2020

2020 REGULAR SESSION

Chair; Wilson, L., Ranking Member; Braun; Ericksen and Hobbs.

Referred to Committee on Ways & Means.

January 30, 2020

SB 6430 Prime Sponsor, Senator Brown: Establishing a statewide industrial waste coordination program. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short; Stanford and Wellman.

Referred to Committee on Ways & Means.

January 30, 2020

SB 6432 Prime Sponsor, Senator Rolfes: Concerning offshore oil extraction. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 6432 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Das; Hobbs; Liias; McCoy; Nguyen; Stanford and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Sheldon, Assistant Ranking Member, Energy & Technology; Brown and Rivers.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment and Short.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6450 Prime Sponsor, Senator Padden: Establishing the warm water fishing advisory group. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6450 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Ways & Means.

January 30, 2020

SB 6485 Prime Sponsor, Senator Takko: Concerning a vessel crewmember license. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

SJM 8018 Prime Sponsor, Senator Brown: Concerning a federal nuclear waste repository. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Hobbs; Liias; McCoy; Nguyen; Rivers; Short; Stanford and Wellman.

Referred to Committee on Rules for second reading.

January 30, 2020

SGA 9302 HUNTER R STUEHM, appointed on July 1, 2019, for the term ending June 30, 2020, as Member of the Western Washington University Board of Trustees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Rules for second reading.

January 30, 2020

SGA 9355 NORRIS "NORRIE" GREGOIRE, appointed on December 4, 2019, for the term ending August 2, 2022, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2020

SGA 9357 STANLEY RUMBAUGH, appointed on December 4, 2019, for the term ending August 2, 2022, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2020

SGA 9373 GUADALUPE GAMBOA, appointed on January 15, 2020, for the term ending June 17, 2024, as Member of the Human Rights Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

January 30, 2020

SGA 9374 TONY F. GOLIK, reappointed on January 15, 2020, for the term ending August 2, 2022, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 6266 and Senate Bill No. 6450 which had been designated to the Committee on Rules and were referred to the Committee on Ways & Means.

MOTION

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

MESSAGE FROM THE HOUSE

January 30, 2020

MR. PRESIDENT:
The House has passed:

SUBSTITUTE HOUSE BILL NO. 1251,
HOUSE BILL NO. 1368,
HOUSE BILL NO. 1674,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1793,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1813,
HOUSE BILL NO. 1841,
SUBSTITUTE HOUSE BILL NO. 1847,
HOUSE BILL NO. 1952,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6658 by Senator Braun

AN ACT Relating to prioritizing services and financial relief for the disabled and elderly populations; amending RCW 43.88C.010, 74.39A.009, 74.39A.051, 74.39A.056, 74.39A.086, 74.39A.095, 74.39A.210, 74.39A.240, 74.39A.250, 74.39A.261, 74.39A.270, 74.39A.275, 74.39A.300, 74.39A.310, 74.39A.351, 74.39A.360, 41.56.026, 41.56.113, 82.08.0283, and 82.12.0277; adding a new section to chapter 43.88 RCW; creating a new section; repealing RCW 74.39A.500, 74.39A.505, 74.39A.510, 74.39A.515, 74.39A.520, 74.39A.525, and 74.39A.530; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

SB 6659 by Senators Das, Randall, Lovelett, Nguyen, Keiser, and Wilson, C.

AN ACT Relating to establishing minimum requirements for the testing of autonomous vehicles; adding a new section to chapter 46.30 RCW; adding a new chapter to Title 46 RCW; and providing an effective date.

Referred to Committee on Transportation.

SB 6660 by Senators Rolfes and Braun

AN ACT Relating to improving fiscal responsibility and budget discipline by replacing the spending limit with additional four-year balanced budget requirements; amending RCW 43.88.030, 43.88.055, 43.135.025, 43.135.034, and 82.33.060; adding a new section to chapter 82.33 RCW; repealing RCW 43.135.010, 43.135.0341, 43.135.0342, 43.135.0343, 43.135.0351, 43.135.080, and 43.135.904; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6661 by Senators Takko and King

AN ACT Relating to transferring the authority from the liquor and cannabis board to the legislature regarding the issuance and forfeiture of marijuana retailer, marijuana producer, and marijuana processor licenses; amending RCW 69.50.325, 69.50.345, 69.50.354, and 19.85.020; reenacting and amending RCW 69.50.345; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SB 6662 by Senators Saldaña, Hunt, Hasegawa and Nguyen

AN ACT Relating to providing retirement benefits at earlier ages in the plans 2 and 3 of the public employees' retirement system, the teachers' retirement system, and the school employees' retirement system; amending RCW 41.32.4992, 41.32.765, 41.32.875, 41.35.420, 41.35.680, 41.40.1987, 41.40.630, and 41.40.820; and providing an effective date.

Referred to Committee on Ways & Means.

SJR 8216 by Senators Braun and Rolfes

Amending the Constitution to require that the governor propose and the legislature enact a budget that balances in the current and next fiscal biennia.

Referred to Committee on Ways & Means.

E2SHB 1110 by House Committee on Appropriations (originally sponsored by Fitzgibbon, Slatter, Kloba, Peterson, Tharinger, Jinkins, Macri, Cody, Bergquist, Doglio, Robinson, Pollet, Stanford and Frame)

AN ACT Relating to reducing the greenhouse gas emissions associated with transportation fuels; amending RCW 46.17.365, 46.25.100, 46.20.202, 46.25.052, 46.25.060, and 70.94.431; adding new sections to chapter 70.94 RCW; creating new sections; prescribing penalties; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

ESHB 1622 by House Committee on Rural Development, Agriculture, & Natural Resources (originally sponsored

NINETEENTH DAY, JANUARY 31, 2020

2020 REGULAR SESSION

by Blake, Kretz, Springer, Chandler, Chapman, Dent and Shewmake)

AN ACT Relating to drought preparedness and response; amending RCW 43.83B.400, 43.83B.405, 43.83B.410, 43.83B.415, and 43.83B.430; adding new sections to chapter 43.83B RCW; decodifying RCW 43.83B.005, 43.83B.200, 43.83B.210, 43.83B.300, 43.83B.345, 43.83B.360, 43.83B.380, and 43.83B.385; repealing RCW 43.83B.220 and 43.83B.336; and providing an expiration date.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

MOTIONS

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

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

MOTION

Senator Hunt moved adoption of the following resolution:

SENATE RESOLUTION
8669

By Senators Hunt, Sheldon, and Wagoner

WHEREAS, It is the policy of the Washington State Senate to recognize excellence in all fields of endeavor; and

WHEREAS, Mr. David Boyer began working for the State of Washington's Department of General Administration as an electrician on November 3, 1980, and began his retirement on July 1, 2019; and

WHEREAS, Mr. Boyer, through his diligence and hard work, was promoted to Construction Maintenance Supervisor, Division of Capital Facilities, and then to, most recently, Quality Assurance Manager, Buildings and Grounds, Facilities Operation Team, overseeing all work on the capitol campus; and

WHEREAS, Mr. Boyer, over the course of his career, came to know the Legislative Building perhaps better than any other person, having sat in on design and renovation meetings and having been into every corner and crevice, every nook and cranny, in the performance of his duties; and

WHEREAS, "Dave," as he came to be known to the occupants of the Legislative Building, could be found helping fix and maintain the buildings on campus, working on everything from leaky faucets to broken windows to dead outlets, as well as, facilitating the needs of the variety of events large, and small, held on the capitol campus; and

WHEREAS, Dave's efforts, including staging the Washington Centennial Commission's celebration of the state's centennial, covering up murals in legislative galleries, and creating workable office spaces for legislators and staff after the Nisqually Earthquake, garnered him numerous awards and recognitions at the Department of Enterprise Services; and

WHEREAS, Dave would credit his team at the Department of Enterprise Services for any successes and shoulder the blame when things went wrong; and

WHEREAS, Dave's devotion to the Legislative Building and its occupants was perhaps best demonstrated by the moments when the Legislative Building was performing at its worst,

working to resolve problems at any hour, day or night, including weekends; and

WHEREAS, Dave ably and critically assisted the efforts of the Legislative Building Renovation Oversight Committee, which directed the Legislative Building's renovation after the 2001 Nisqually Earthquake; and

WHEREAS, One of Dave's favorite duties included coordinating the delivery and installation of the annual Holiday Tree each year, which added a festive note to the Building in which he spent so much time;

NOW, THEREFORE, BE IT RESOLVED, That the Senate acknowledge Mr. David Boyer for his service to the Department of Enterprise Services and the people of the State of Washington and offer its heartfelt gratitude to him and his family for the years of support to the Legislative Building, the capitol campus, and all of its tenants; and

BE IT FURTHER RESOLVED, That David Boyer be congratulated on the occasion of his retirement from four decades of public service and wished the very best in pursuing future endeavors; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Mr. David Boyer and his family.

Senators Hunt and Sheldon spoke in favor of adoption of the resolution.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8669.

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

INTRODUCTION OF SPECIAL GUESTS

The Vice President Pro Tempore welcomed and introduced Mr. Dave Boyer, Department of Enterprise Services, retired, who was seated in the gallery.

The Vice President Pro Tempore further welcomed and introduced Director Chris Liu, Department of Enterprise Services, who was seated in the gallery.

REMARKS BY SENATOR LIAS

Senator Liias: "Thank you Mr. President, and thank you to Senator Hunt for giving us a moment to remember and reflect on the great people who make this building literally work. And, to all our members, I think it is very easy to, as we leave the building give them a smile and a thank you and this is a good reminder as we see the folks who as they begin their shift often when we are ending ours, taking care of this beautiful asset, to share our appreciation on a daily basis."

MOTION

At 10:18 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 10:56 a.m. by the President Pro Tempore, Senator Keiser presiding.

MOTION

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

MOTIONS

On motion of Senator Rivers, Senators Ericksen and Holy were excused.

On motion of Senator Mullet, Senator McCoy was excused.

THIRD READING

SENATE BILL NO. 5339, by Senators Carlyle, Walsh, Pedersen, Wellman, Keiser, Liias, Hunt, Kuderer, Nguyen and Saldaña

Reducing criminal justice expenses by eliminating the death penalty and instead requiring life imprisonment without possibility of release or parole as the sentence for aggravated first degree murder.

The bill was read on Third Reading.

Senators Carlyle and Pedersen spoke in favor of passage of the bill.

Senators Padden, Wagoner, Sheldon, Short, Fortunato and O'Ban spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5339.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5339 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 18; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hunt, Keiser, Kuderer, Liias, Lovelett, Mullet, Muzzall, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Walsh, Warnick, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Fortunato, Hobbs, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Wilson, L. and Zeiger

Excused: Senators Ericksen, Holy and McCoy

SENATE BILL NO. 5339, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Vice President Pro Tempore Conway assumed the chair.

MOTION

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

SECOND READING

SENATE BILL NO. 6170, by Senators Keiser, Conway, Fortunato, Hasegawa and King

Concerning plumbing.

The measure was read the second time.

MOTION

On motion of Senator Keiser, 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.

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

MOTION

On motion of Senator Mullet, Senator Wellman was excused.

The Vice President Pro Tempore 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, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Ericksen, Holy, McCoy and Wellman

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. 5149, by Senators Wilson, L., Becker, Kuderer, Short and Takko

Monitoring of domestic violence perpetrators.

MOTIONS

On motion of Senator Wilson, L., Second Substitute Senate Bill No. 5149 was substituted for Senate Bill No. 5149 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, L., the rules were suspended, Second Substitute Senate Bill No. 5149 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, L. and Pedersen spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5149.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5149 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon,

NINETEENTH DAY, JANUARY 31, 2020

2020 REGULAR SESSION

Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wilson, C., Wilson, L. and Zeiger
 Excused: Senators Ericksen, Holy, McCoy and Wellman

SECOND SUBSTITUTE SENATE BILL NO. 5149, having received the 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 SPECIAL GUESTS

The Vice President Pro Tempore welcomed and introduced friends and family of Tiffany Hill who were seated in the gallery.

MOTION

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

THIRD READING

SENATE BILL NO. 5519, by Senators Cleveland, King, Takko, Warnick, Short, Braun, Wilson, L. and Honeyford

Concerning mosquito control districts.

The bill was read on Third Reading.

Senators Cleveland and Short spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5519.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5519 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

SENATE BILL NO. 5519, having received the 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, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6029, by Senators Pedersen and Padden

Concerning the uniform directed trust act.

MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 6029 was substituted for Senate Bill No. 6029 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 6029 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 Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6029.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6029 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

SUBSTITUTE SENATE BILL NO. 6029, having received the 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. 6052, by Senators Mullet, Wilson, L. and Kuderer

Concerning life insurance products or services that are intended to incent behavioral changes that improve the health and reduce the risk of death of the insured.

MOTIONS

On motion of Senator Mullet, Substitute Senate Bill No. 6052 was substituted for Senate Bill No. 6052 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Mullet, the rules were suspended, Substitute Senate Bill No. 6052 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and Wilson, L. spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6052.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6052 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt,

Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wilson, C., Wilson, L. and Zeiger
Excused: Senators Ericksen, Holy, McCoy and Wellman

SUBSTITUTE SENATE BILL NO. 6052, having received the 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. 6090, by Senators Warnick, Honeyford and Liias

Limiting fire protection service agency liability for the installation of detection devices.

The measure was read the second time.

MOTION

On motion of Senator Warnick, the rules were suspended, Senate Bill No. 6090 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 Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6090.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6090 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 1; Excused, 4.

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

Absent: Senator Das

Excused: Senators Ericksen, Holy, McCoy and Wellman

SENATE BILL NO. 6090, having received the 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 12:03 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Monday, February 3, 2020.

STEVE CONWAY, Vice President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

TWENTY SECOND DAY

NOON SESSION

Senate Chamber, Olympia
Monday, February 3, 2020

The Senate was called to order at 12:02 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

MOTION

On motion of Senator Kuderer, 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 30, 2020

E2SSB 5291 Prime Sponsor, Committee on Ways & Means: Creating alternatives to total confinement for certain qualifying persons with minor children. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Third Substitute Senate Bill No. 5291 be substituted therefor, and the third substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 5493 Prime Sponsor, Senator Zeiger: Establishing a board of advisors to provide local guidance to community services offices operated by the department of social and health services. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5493 be substituted therefor, and the second substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 31, 2020

SB 6047 Prime Sponsor, Senator Hasegawa: Prohibiting retaliation against school district employees that report noncompliance with individualized education programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins,

Ranking Member; Hunt; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6063 Prime Sponsor, Senator Wagoner: Improving department of corrections health care administration. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6063 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 31, 2020

SB 6066 Prime Sponsor, Senator Hasegawa: Expanding ethnic studies materials and resources for public school students in grades kindergarten through six. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; Mullet; Pedersen and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Padden and Wagoner.

Referred to Committee on Rules for second reading.

January 31, 2020

SB 6086 Prime Sponsor, Senator Hasegawa: Increasing access to medications for opioid use disorder. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6086 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

Referred to Committee on Rules for second reading.

January 31, 2020

SB 6101 Prime Sponsor, Senator Wellman: Concerning statewide implementation of early screening for dyslexia. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

January 31, 2020

SB 6121 Prime Sponsor, Senator Takko: Designating the Pacific razor clam as the new state clam. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

January 31, 2020

SB 6132 Prime Sponsor, Senator Wellman: Allowing the learning assistance program to support school-wide behavioral health system of supports and interventions. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; Mullet; Pedersen and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Padden and Wagoner.

Referred to Committee on Rules for second reading.

January 31, 2020

SB 6157 Prime Sponsor, Senator Dhingra: Requiring schools to stock bleeding control kits. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6157 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; Mullet; Pedersen and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; Padden and Wagoner.

Referred to Committee on Rules for second reading.

January 31, 2020

SB 6179 Prime Sponsor, Senator Takko: Concerning the Washington search and rescue grant program. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Ways & Means.

January 31, 2020

SB 6187 Prime Sponsor, Senator Zeiger: Modifying the definition of personal information for notifying the public about data breaches of a state or local agency system. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

January 31, 2020

SB 6191 Prime Sponsor, Senator Braun: Assessing the prevalence of adverse childhood experiences in middle and high school students to inform decision making and improve services. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6191 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; Mullet; Pedersen and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden and Wagoner.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6203 Prime Sponsor, Senator Darneille: Concerning corrections. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6203 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban and Zeiger.

Referred to Committee on Rules for second reading.

January 31, 2020

SB 6238 Prime Sponsor, Senator Hunt: Requiring local ballot measure statement committee members to be registered voters in the area voting on the measure. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

January 31, 2020

SB 6255 Prime Sponsor, Senator Wilson, C.: Supporting access to child care for parents who are attending high school or working toward completion of a high school equivalency certificate. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6255 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; Mullet; Pedersen and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Padden and Wagoner.

Referred to Committee on Ways & Means.

January 31, 2020

SB 6275 Prime Sponsor, Senator Cleveland: Increasing patient access rights to timely and appropriate postacute care. Reported by Committee on Health & Long Term Care

TWENTY SECOND DAY, FEBRUARY 3, 2020

2020 REGULAR SESSION

MAJORITY recommendation: That Substitute Senate Bill No. 6275 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

January 31, 2020

SB 6346 Prime Sponsor, Senator Takko: Establishing tribal representation on the emergency management council. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Ways & Means.

January 30, 2020

SB 6362 Prime Sponsor, Senator Randall: Concerning services for children with multiple handicaps. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6362 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6423 Prime Sponsor, Senator Cleveland: Concerning reports alleging child abuse and neglect. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 30, 2020

SB 6478 Prime Sponsor, Senator Nguyen: Revising economic assistance programs. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6478 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban.

Referred to Committee on Ways & Means.

January 31, 2020

SB 6487 Prime Sponsor, Senator Liias: Transferring the legislative youth advisory council to the lieutenant governor's office. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6487 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

January 31, 2020

SB 6534 Prime Sponsor, Senator Cleveland: Creating an ambulance transport quality assurance fee. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6534 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

January 31, 2020

SB 6553 Prime Sponsor, Senator Frockt: Facilitating treatment for gun violence victims. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

Referred to Committee on Ways & Means.

January 31, 2020

SB 6554 Prime Sponsor, Senator Padden: Exempting dietary supplements from sales and use tax. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

January 31, 2020

SB 6639 Prime Sponsor, Senator O'Ban: Reestablishing a business and occupation tax deduction for government-funded behavioral health care. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

January 31, 2020

SJM 8002 Prime Sponsor, Senator Kuderer: 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. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Assistant Ranking Member Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

January 31, 2020
SGA 9300 GRACE HUANG, reappointed on July 1, 2019, for the term ending June 30, 2022, as Member of the Washington State Women's Commission. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

MOTION

On motion of Kuderer, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Engrossed Second Substitute Senate Bill No. 5291 which had been designated to the Committee on Ways & Means and referred to the Committee on Rules.

MOTION

On motion of Senator Kuderer, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR GUBERNATORIAL APPOINTMENTS

January 28, 2020
 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 P. MARTINEZ, appointed January 28, 2020, for the term ending June 30, 2021, as Member of the Workforce Training and Education Coordinating Board.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9387.

January 28, 2020
 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.

GUY R. NORMAN, reappointed January 28, 2020, for the term ending January 15, 2023, as Member of the Northwest Power and Conservation Council.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Environment, Energy & Technology as Senate Gubernatorial Appointment No. 9388.

January 29, 2020
 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.

ROZANNE E. GARMAN, appointed January 29, 2020, for the term ending September 30, 2021, as Member of the South Puget Sound Community College Board of Trustees.

Sincerely,
 JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9389.

MOTION

On motion of Senator Kuderer, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MOTION

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

INTRODUCTION AND FIRST READING

SB 6663 by Senators Brown, Becker and Walsh

AN ACT Relating to studying dual diagnoses of eating disorder and diabetes mellitus type 1; and creating new sections.

Referred to Committee on Health & Long Term Care.

SB 6664 by Senators Fortunato and Padden

AN ACT Relating to parental rights; adding a new chapter to Title 26 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6665 by Senators Takko, Short and Van De Wege

AN ACT Relating to changing the expiration date for the sales and use tax exemption of hog fuel to coincide with the 2045 deadline for fossil fuel-free electrical generation in Washington state and to protect jobs with health care and retirement benefits in economically distressed communities; amending RCW 82.08.956, 82.12.956, and 82.32.605; creating new sections; and providing expiration dates.

Referred to Committee on Ways & Means.

SB 6666 by Senator Hunt

AN ACT Relating to protecting employee information from public disclosure; and reenacting and amending RCW 42.56.230 and 42.56.250.

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

SB 6667 by Senator King

AN ACT Relating to permitting a private auto ferry to operate between the Anacortes area and British Columbia;

TWENTY SECOND DAY, FEBRUARY 3, 2020

2020 REGULAR SESSION

amending RCW 47.64.090 and 88.16.070; reenacting and amending RCW 47.60.120; and creating a new section.

Referred to Committee on Transportation.

SB 6668 by Senators Stanford and Nguyen

AN ACT Relating to services and activities fee transparency; and amending RCW 28B.15.045.

Referred to Committee on Higher Education & Workforce Development.

SB 6669 by Senators Keiser, Nguyen and Salomon

AN ACT Relating to providing progressive tax reform by authorizing counties with populations exceeding two million to impose an excise tax on businesses in order to reduce homelessness, save lives, and improve public safety; amending RCW 48.14.080; adding a new chapter to Title 83 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6670 by Senators Billig, Van De Wege, Salomon and Schoesler

AN ACT Relating to encouraging access to state parks through cooperative programs with libraries; adding a new section to chapter 79A.80 RCW; creating a new section; and making an appropriation.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 6671 by Senators Van De Wege, Salomon, Takko and McCoy

AN ACT Relating to authorizing the department of revenue to collect tribal timber harvest excise tax under a timber harvest excise tax agreement authorized in chapter 43.06 RCW; amending RCW 84.33.081; and adding a new section to chapter 84.33 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1251 by House Committee on State Government & Tribal Relations (originally sponsored by Tarleton, Hudgins and Wylie)

AN ACT Relating to security breaches of election systems or election data including by foreign entities; adding a new section to chapter 29A.12 RCW; and creating a new section.

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

HB 1368 by Representatives Springer, Kretz, Riccelli, Orcutt, Goodman, Maycumber, Wylie, Dent, Steele and Doglio

AN ACT Relating to reauthorizing the business and occupation tax deduction for cooperative finance organizations; adding a new section to chapter 82.04 RCW; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

HB 1674 by Representatives Rude, Steele, Santos, Jinkins, Bergquist and Doglio

AN ACT Relating to changing the term alternative learning experience to personalized learning experience; and amending RCW 28A.150.100, 28A.225.020, 28A.225.151, 28A.232.005, 28A.232.010, 28A.232.020, 28A.232.030, 28A.250.070, 28A.340.080, 28A.340.085, 28A.520.020, 28A.525.162, and 28A.525.166.

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

ESHB 1793 by House Committee on Transportation (originally sponsored by Fitzgibbon, Pettigrew, Macri, Valdez, Fey, Cody, Senn, Springer, Pollet and Tarleton)

AN ACT Relating to establishing additional uses for automated traffic safety cameras for traffic congestion reduction and increased safety; and amending RCW 46.63.170.

Referred to Committee on Transportation.

ESHB 1813 by House Committee on Appropriations (originally sponsored by Sullivan, Santos, Ortiz-Self and Ormsby)

AN ACT Relating to incorporating the costs of employee health benefits into school district contracts for pupil transportation; and amending RCW 28A.160.140.

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

HB 1841 by Representatives Riccelli, Chandler, Blake, Boehnke, Macri, Eslick, Santos, Young, Ryu, Jenkin, Sells, Stokesbary, Senn, Griffey, Harris, Stonier, Morgan, Walsh, Gregerson, Lovick, Fey, Volz, Wylie, Hoff, Ramos, Chambers, Stanford, McCaslin, Fitzgibbon, Van Werven, Peterson, MacEwen, Dent, Graham, Hudgins, Valdez, Pollet, Ortiz-Self, Ybarra, Walen, Ormsby, Dolan, Frame, Cody, Jinkins, Tarleton, Appleton, Bergquist, Callan, Chapman, Pellicciotti, Shewmake, Kilduff, Lekanoff, Davis, Pettigrew, Doglio and Entenman

AN ACT Relating to establishing minimum crew size on certain trains; adding new sections to chapter 81.40 RCW; creating a new section; repealing RCW 81.40.010 and 81.40.035; prescribing penalties; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SHB 1847 by House Committee on Local Government (originally sponsored by Pellicciotti, Orwall, Gregerson, Reeves and Santos)

AN ACT Relating to aircraft noise abatement; and amending RCW 53.54.010, 53.54.020, and 53.54.030.

Referred to Committee on Local Government.

HB 1952 by Representatives Ortiz-Self, Kilduff, Lovick, Thai and Fey

AN ACT Relating to the building communities fund program; and amending RCW 43.63A.125.

Referred to Committee on Ways & Means.

MOTION

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

MOTION

At 12:04 p.m., on motion of Senator Kuderer, the Senate adjourned until 12:00 o'clock noon, Tuesday, February 4, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

TWENTY THIRD DAY

NOON SESSION

Senate Chamber, Olympia
Tuesday, February 4, 2020

The Senate was called to order at 12:01 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 3, 2020

ESSB 5544 Prime Sponsor, Committee on Transportation: Increasing the types of commercial driver waivers allowed for military veterans. Reported by Committee on Transportation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5544 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 31, 2020

SB 5607 Prime Sponsor, Senator Wellman: Concerning dual language learning in early learning and K-12 education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5607 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; Mullet; Pedersen and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senator Hawkins, Ranking Member.

Referred to Committee on Ways & Means.

February 3, 2020

SB 6033 Prime Sponsor, Senator Keiser: Concerning the safety and security of retail marijuana outlets. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6033 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Schoesler; Stanford; Walsh and Wellman.

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

Referred to Committee on Rules for second reading.

January 31, 2020

SB 6073 Prime Sponsor, Senator Dhingra: Providing menstrual hygiene products in public school bathrooms. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6073 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; Mullet; Pedersen; Salomon and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member and Padden.

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6079 Prime Sponsor, Senator Mullet: Clarifying the scope of taxation on land development or management services. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Ways & Means.

January 31, 2020

SB 6092 Prime Sponsor, Senator Wilson, C.: Awarding diplomas posthumously. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6092 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6094 Prime Sponsor, Senator Nguyen: Correcting a reference to an omnibus transportation appropriations act within a prior authorization of general obligation bonds for transportation funding. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland;

Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

January 31, 2020

SB 6105 Prime Sponsor, Senator Hunt: Concerning the administration of state education agencies. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6105 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6114 Prime Sponsor, Senator Takko: Concerning all-terrain vehicles. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6114 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Fortunato; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Saldaña, Vice Chair; Das and Lovelett.

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6207 Prime Sponsor, Senator Saldaña: Concerning the scope of collective bargaining for language access providers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6207 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member and Braun.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler and Walsh.

Referred to Committee on Ways & Means.

February 3, 2020

SB 6208 Prime Sponsor, Senator Billig: Increasing mobility through the modification of stop sign requirements for bicyclists. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6208 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6212 Prime Sponsor, Senator Das: Concerning the authority of counties, cities, and towns to exceed statutory property tax limitations for the purpose of financing affordable housing for very low-income households and low-income households. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Ways & Means.

February 3, 2020

SB 6216 Prime Sponsor, Senator Keiser: Concerning the application of the family and medical leave program in Title 50A RCW to specific classes of individuals. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6216 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and Schoesler.

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

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6230 Prime Sponsor, Senator Kuderer: Concerning the sale or lease of manufactured/mobile home communities and the property on which they sit. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 6230 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Darneille and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Assistant Ranking Member and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6234 Prime Sponsor, Senator Kuderer: Concerning the use of third parties by employers to dispute unemployment claims. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6234 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

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

TWENTY THIRD DAY, FEBRUARY 4, 2020

2020 REGULAR SESSION

February 3, 2020

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and Schoesler.

Referred to Committee on Ways & Means.

February 3, 2020

SB 6261 Prime Sponsor, Senator McCoy: Strengthening the farm labor contractor system by removing an exemption for nonprofits, prohibiting retaliation and the use of farm labor contractors in certain circumstances, and establishing liability for related violations. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6261 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and Schoesler.

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

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6271 Prime Sponsor, Senator Das: Extending the closure notice period for manufactured/mobile home communities. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Darneille and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Assistant Ranking Member and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6302 Prime Sponsor, Senator Rolfes: Prohibiting local governments from limiting the number of unrelated persons occupying a home. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 6302 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Darneille and Saldaña.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Zeiger, Ranking Member.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Assistant Ranking Member and Warnick.

Referred to Committee on Rules for second reading.

SB 6323 Prime Sponsor, Senator Van De Wege: Concerning the board of engineers and land surveyors' appointment of its director and agreement with the department of licensing. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Stanford; Walsh and Wellman.

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

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6328 Prime Sponsor, Senator Warnick: Creating a local infrastructure investment program to support the development of affordable housing, workforce housing, and revitalization efforts. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 6328 be substituted therefor, and the substitute bill do pass. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Saldaña and Warnick.

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

Referred to Committee on Ways & Means.

February 3, 2020

SB 6366 Prime Sponsor, Senator Mullet: Exempting a sale or transfer of real property for affordable housing to a nonprofit entity, housing authority, or public corporation from the real estate excise tax. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Ways & Means.

February 3, 2020

SB 6386 Prime Sponsor, Senator Zeiger: Reducing impact fees for low-income housing. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6403 Prime Sponsor, Senator Warnick: Concerning allowable uses for the multiuse roadway safety account. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking

Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6421 Prime Sponsor, Senator Muzzall: Extending the farm internship program. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6457 Prime Sponsor, Senator Fortunato: Promoting housing affordability by incentivizing the construction of American dream homes. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 6457 be substituted therefor, and the substitute bill do pass. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Zeiger, Ranking Member; Saldaña and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Das, Vice Chair and Darneille.

Referred to Committee on Ways & Means.

February 3, 2020

SB 6552 Prime Sponsor, Senator Stanford: Eliminating the three-day waiting period for receiving industrial insurance compensation. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6552 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford; Walsh and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Braun and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator King, Ranking Member.

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6623 Prime Sponsor, Senator Darneille: Reducing host home funding restrictions. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille and Saldaña.

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

Referred to Committee on Rules for second reading.

February 3, 2020

SGA 9362 YONA MAKOWSKI, reappointed on December 16, 2019, for the term ending December 31, 2022, as Member of the Investment Board. Reported by Committee on Ways & Means

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 3, 2020

SGA 9382 RICH NAFZIGER, appointed on January 16, 2020, for the term ending June 30, 2023, as Member of the Housing Finance Commission. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

February 3, 2020

SGA 9386 ALBERT L. TRIPP, appointed on January 23, 2020, for the term ending June 30, 2023, as Member of the Housing Finance Commission. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 6623 which had been designated to the Committee on Ways & Means and was referred to the Committee on Rules.

MOTION

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

INTRODUCTION AND FIRST READING

SB 6672 by Senator Walsh

AN ACT Relating to feeding all children in Washington schools; and adding new sections to chapter 28A.235 RCW.

TWENTY THIRD DAY, FEBRUARY 4, 2020

2020 REGULAR SESSION

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

SB 6673 by Senator Fortunato

AN ACT Relating to removing restrictions on the right to bear arms and ensuring personal protection for Washington citizens; amending RCW 9.41.090, 9.41.094, 9.41.097, 9.41.0975, 9.41.110, 9.41.122, 9.41.124, 9.41.129, 9.41.220, 9.41.240, 43.06.220, 9.41.345, 10.99.040, 7.90.090, 7.90.110, 7.92.100, 7.92.120, 26.50.070, and 26.09.060; reenacting and amending RCW 9.41.010, 9.41.300, 9.41.047, 10.99.030, and 10.14.080; adding a new section to chapter 9.41 RCW; creating new sections; repealing RCW 9.41.049, 9.41.092, 9.41.113, 9.41.115, 9.41.137, 9.41.139, 9.41.360, 9.41.365, 71.05.182, and 82.08.833; and repealing 2019 c 244 s 2 (uncodified).

Referred to Committee on Law & Justice.

SB 6674 by Senator Fortunato

AN ACT Relating to requiring zero-based budget reviews to improve state budgeting; adding a new section to chapter 43.88 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6675 by Senators Stanford, Fortunato, Saldaña, Rivers, Conway, Zeiger and Kuderer

AN ACT Relating to railroad grade crossings; adding a new section to chapter 81.53 RCW; and prescribing penalties.

Referred to Committee on Transportation.

SJR 8217 by Senator Walsh

Amending the Constitution with regard to the term length of members of the Legislature.

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

MOTION

On motion of Senator Liias, 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 Liias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, February 5, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

TWENTY FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 5, 2020

The Senate was called to order at 10:07 a.m. by the President Pro Tempore of the Senate, Senator Keiser presiding. The Secretary called the roll and announced to the President Pro Tempore that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. John Ryu and Miss Sri Waters, presented the Colors. Page Miss Jorja Albert led the Senate in the Pledge of Allegiance. The prayer was offered by Pastor Aaron Baughman of the Lutheran Church of the Good Shepherd in Olympia.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 4, 2020

SB 5473 Prime Sponsor, Senator Saldaña: Making unemployment benefits accessible to persons with family responsibilities and other availability issues and making clarifying changes. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 5473 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and Schoesler.

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

Referred to Committee on Rules for second reading.

February 3, 2020

SB 5601 Prime Sponsor, Senator Rolfes: Concerning health care benefit management. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5601 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Keiser and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Muzzall and Rivers.

Referred to Committee on Ways & Means.

February 4, 2020

SB 6081 Prime Sponsor, Senator Liias: Concerning the calculation of compensation of an employee of a medical school and an affiliated faculty group practice for purposes of a noncompetition agreement. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6081 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Stanford; Walsh and Wellman.

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

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6095 Prime Sponsor, Senator Keiser: Excluding the common carrier licensees from the definition of retailer for the purposes of the three-tier system. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6095 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Saldaña; Schoesler and Stanford.

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6100 Prime Sponsor, Senator Wellman: Expanding background check requirements for certain educational institutions. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6117 Prime Sponsor, Senator Wellman: Concerning appropriations for special education programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6117 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

TWENTY FOURTH DAY, FEBRUARY 5, 2020

2020 REGULAR SESSION

Referred to Committee on Ways & Means.

February 4, 2020

SB 6120 Prime Sponsor, Senator Conway: Amending types of nonprofit organizations qualified to engage in gambling activities. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6138 Prime Sponsor, Senator Hasegawa: Concerning the beginning educator support team program. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Padden and Wagoner.

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6144 Prime Sponsor, Senator Hasegawa: Concerning implementation credits and performance standards. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 6144 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Das and Hobbs.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, L., Ranking Member and Ericksen.

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6173 Prime Sponsor, Senator Sheldon: Regarding the sale of beer for off-premises consumption. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6173 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; King, Ranking Member; Braun; Schoesler; Walsh and Wellman.

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

MINORITY recommendation: Do not pass. Signed by Senators Conway, Vice Chair and Stanford.

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6205 Prime Sponsor, Senator Cleveland: Preventing harassment, abuse, and discrimination experienced by long-term

care workers. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6205 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

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

Referred to Committee on Ways & Means.

February 4, 2020

SB 6206 Prime Sponsor, Senator Rivers: Creating a certificate of compliance for marijuana business premises that meet the statutory qualifications at the time of application. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6206 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6217 Prime Sponsor, Senator Keiser: Concerning minimum labor standards for certain employees working at an airport or air navigation facility. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6217 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and Schoesler.

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

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6242 Prime Sponsor, Senator Carlyle: Adjusting school directors' compensation. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6242 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

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

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6254 Prime Sponsor, Senator Kuderer: Protecting public health and safety by enhancing the regulation of vapor products. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6254 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Randall, Vice Chair; Muzzall and Rivers.

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

Referred to Committee on Ways & Means.

February 3, 2020

SB 6265 Prime Sponsor, Senator McCoy: Concerning the lease or rental of surplus property of school districts. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6267 Prime Sponsor, Senator Takko: Modifying the long-term services and supports trust program by clarifying the ability for individuals with existing long-term care insurance to opt-out of the premium assessment and making technical corrections. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6267 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

February 3, 2020

SB 6282 Prime Sponsor, Senator Pedersen: Concerning the development of individualized highly capable learning plans. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6282 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Hawkins, Ranking Member; Hunt; Mullet; Padden; Pedersen; Salomon and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, C., Vice Chair and McCoy.

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6392 Prime Sponsor, Senator Van De Wege: Creating a local wine industry association license. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6392 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6409 Prime Sponsor, Senator King: Providing an exemption from electrical licensing, certification, and inspection for industrial equipment. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6409 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6413 Prime Sponsor, Senator Cleveland: Establishing the primary care collaborative. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6413 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Muzzall; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

February 4, 2020

SB 6414 Prime Sponsor, Senator Stanford: Waiving utility connection charges for certain properties. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 6414 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair and Lovelett.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short, Ranking Member.

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6415 Prime Sponsor, Senator Das: Allowing a permanent fire protection district benefit charge with voter approval. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 6415 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

TWENTY FOURTH DAY, FEBRUARY 5, 2020

2020 REGULAR SESSION

February 3, 2020

SB 6416 Prime Sponsor, Senator Cleveland: Providing telehealth services to schools. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Muzzall; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

February 3, 2020

SB 6486 Prime Sponsor, Senator Rivers: Expanding medicaid coverage for individuals with a rare disease. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6486 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Dhingra; Frockt; Muzzall; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

February 4, 2020

SB 6504 Prime Sponsor, Senator Darneille: Clarifying that facilities that are operated by a private entity in which persons are detained in custody under process of law pending the outcome of legal proceedings are not essential public facilities under the growth management act. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair and Lovelett.

MINORITY recommendation: Do not pass. Signed by Senators Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6514 Prime Sponsor, Senator Schoesler: Addressing irrigation district elections. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 6514 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Short, Ranking Member and Lovelett.

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

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

Referred to Committee on Rules for second reading.

February 3, 2020

SB 6515 Prime Sponsor, Senator Van De Wege: Adjusting the medicaid payment methodology for skilled nursing facilities. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6515 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Muzzall; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

February 4, 2020

SB 6523 Prime Sponsor, Senator Takko: Concerning local government issuance of a certificate of birth resulting in stillbirth. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 6523 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Lovelett.

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

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6531 Prime Sponsor, Senator Braun: Concerning the performance of personal services by a craft distillery, distiller, spirits certificate of approval holder, or distributor. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6531 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Schoesler; Walsh and Wellman.

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

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

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6545 Prime Sponsor, Senator Zeiger: Concerning the voluntary stewardship program. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 6545 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Ways & Means.

February 4, 2020

SB 6566 Prime Sponsor, Senator Randall: Amending the schedule for updates to the comprehensive plan of Kitsap county that are required under the growth management act to match the update schedules of other central Puget Sound counties. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 6566 be substituted therefor, and the substitute bill do

pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Lovelett.

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

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6574 Prime Sponsor, Senator Takko: Clarifying the respective administrative powers, duties, and responsibilities of the growth management hearings board and the environmental land use and hearings office. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 6574 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Short, Ranking Member and Lovelett.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Salomon, Vice Chair and Honeyford.

Referred to Committee on Ways & Means.

February 4, 2020

SB 6592 Prime Sponsor, Senator Holy: Concerning tourism authorities. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 6592 be substituted therefor, and the substitute bill do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair and Lovelett.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short, Ranking Member.

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

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6643 Prime Sponsor, Senator Takko: Combining a resolution proposing abandonment and a resolution proposing a council-manager plan of government into a single proposition. Reported by Committee on Local Government

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

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6656 Prime Sponsor, Senator Hasegawa: Concerning engagement with key international markets. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 6656 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Hasegawa, Vice

Chair; Wilson, L., Ranking Member; Das; Ericksen and Hobbs.

Referred to Committee on Ways & Means.

February 4, 2020

SHB 1847 Prime Sponsor, Committee on Local Government: Addressing aircraft noise abatement. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair and Lovelett.

MINORITY recommendation: Do not pass. Signed by Senators Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 5473; Senate Bill No. 6144; and Senate Bill No. 6392 which had been designated to the Committee on Ways & Means and were referred to the Committee on Rules.

MOTION

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

INTRODUCTION AND FIRST READING

SB 6676 by Senators Frockt, Randall, Rolfes, Darneille, Braun, Billig, Salomon, Stanford, Dhingra and Van De Wege AN ACT Relating to reimbursement for primary care services for medicaid beneficiaries; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Liias, Senate Bill No. 6676, which had been designated to the Committee on Health & Long Term Care, was referred to the Committee on Ways & Means.

MOTION

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

MOTION

Senator Becker moved adoption of the following resolution:

SENATE RESOLUTION 8671

By Senators Becker, Fortunato, Hawkins, Short, King, Saldaña, Warnick, Brown, Wilson, L., Zeiger, Ericksen, Wagoner, Muzzall, Sheldon, Honeyford, Padden, Walsh, O'Ban, Holy, Lovelett, Kuderer, and Rivers

TWENTY FOURTH DAY, FEBRUARY 5, 2020

2020 REGULAR SESSION

WHEREAS, The first creamery in Washington was started in Cheney in 1880; and

WHEREAS, Washington's dairy industry is actually older than the state itself; and

WHEREAS, Cows were first brought to Washington in 1838; and

WHEREAS, Dairy farms can be found in twenty-nine of Washington's thirty-nine counties; and

WHEREAS, There are thirty-three certified organic dairies in Washington; and

WHEREAS, Families across Washington have depended on the safe and nutritious dairy products provided by the dairy farmers of Washington state for generations; and

WHEREAS, Dairy is an essential part of a healthy diet, is one of the major food groups represented on the United States Department of Agriculture's "MyPlate" dietary guidelines, and three cups of dairy products per day are recommended for people nine years old and older; and

WHEREAS, There are approximately three hundred sixty family dairy farms in Washington state with approximately two hundred seventy-seven thousand dairy cows; and

WHEREAS, Dairy ranks as the second highest agricultural commodity produced in Washington, with an economic impact of over five billion dollars; and

WHEREAS, Washington is the tenth largest total milk producer among the fifty United States; and

WHEREAS, Dairy Day at the legislature takes place on February 5, 2020, when legislators will visit with Washington dairy producers and enjoy delicious dairy products that are produced in Washington and handed out by the Washington State 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 Kayla VanWieringen, alternate Ambassadors Kara Teachman and Emily Rockey, Dairy Farmers of Washington, and the Washington State Dairy Federation.

Senators Becker, Warnick, Ericksen, Muzzall, Kuderer, Fortunato 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. 8671.

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

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced Dairy Farmers of Washington representatives who were seated in the gallery, including: 2019-2020 Washington State Dairy Ambassador Kayla VanWieringen of Yakima County; Alternate State Alternate Ambassador Kara Teachman of Grays Harbor County; State Ambassador Emily Rockey of King & Pierce Counties; and a delegation from the Washington State Dairy Women.

MOTION

At 10:34 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

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

MOTION

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

PERSONAL PRIVILEGE

Senator Padden: "Thank you Madam President. I just wanted to point out to the body here, that tomorrow will be what would have been the 109th birthday of former President Ronald Reagan. And, I will have a resolution but it's a pro forma session tomorrow so I wanted to just notify the members it's up there and thank you. It's a bi-partisan resolution, those that have haven't signed they still have an opportunity. And just briefly, indicate that Ronald Reagan came from humble beginnings, Madam President. Born in Tampico, Illinois. Family did not have much money. Later became a lifeguard and saved a whole number of people from drowning as a lifeguard and, of course, the thing that I remember the most, my earliest recollection, was his speech he gave in 1964, televised speech, in support of candidate Barry Goldwater. And although Barry was, got a lot of very intense support, the election results weren't all that great but it set the stage for Reagan's later being elected, two years later, Governor of California, and then ran for president in '76 unsuccessfully, but ran in '80 and was reelected in '84. In any event, a great president, one of the people I've admired most and just wanted to notify the body that there is an opportunity to sign on the resolution and we will be talking about it tomorrow at noon if you can join us. Thank you."

SECOND READING

SENATE BILL NO. 6127, by Senators Randall, Conway, Hunt, Stanford, Saldaña, and Wilson, C.

Adding a graduate student to the student achievement council.

MOTIONS

On motion of Senator Randall, Substitute Senate Bill No. 6127 was substituted for Senate Bill No. 6127 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Randall, the rules were suspended, Substitute Senate Bill No. 6127 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and Holy 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. 6127.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6127 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6127, having received the 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. 6158, by Senators Dhingra, Cleveland, Wilson, C., Das, Darneille, Hunt, Keiser, Kuderer, Lovelett, Randall, Stanford and Carlyle

Concerning model sexual assault protocols for hospitals and clinics.

MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 6158 was substituted for Senate Bill No. 6158 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dhingra, the rules were suspended, Substitute Senate Bill No. 6158 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and O'Ban 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. 6158.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6158 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6158, having received the 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. 6305, by Senators Lias, Braun, Wagoner, and Wilson, C.

Concerning library districts.

The measure was read the second time.

MOTION

On motion of Senator Lias, the rules were suspended, Senate Bill No. 6305 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lias, Short and Takko spoke in favor of passage of the bill.

Senator Hasegawa spoke against passage of the bill.

MOTION

On motion of Senator Rivers, Senator O'Ban was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6305.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6305 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Becker, Ericksen, Fortunato, Hasegawa, O'Ban, Padden and Schoesler

Excused: Senator Sheldon

SENATE BILL NO. 6305, having received the 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. 5640, by Senators Holy, Pedersen, Wellman, Billig, Padden, Becker, Warnick, Short, Hasegawa, Walsh, Bailey, Wilson, C. and Kuderer

Concerning youth courts.

MOTIONS

On motion of Senator Holy, Substitute Senate Bill No. 5640 was substituted for Senate Bill No. 5640 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Holy, the rules were suspended, Substitute Senate Bill No. 5640 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holy 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 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, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen,

TWENTY FOURTH DAY, FEBRUARY 5, 2020

2020 REGULAR SESSION

Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Sheldon

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.

SECOND READING

SENATE BILL NO. 6143, by Senators Cleveland, Rivers and Becker

Concerning the podiatric medical board.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Senate Bill No. 6143 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 Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6143.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6143 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Sheldon

SENATE BILL NO. 6143, having received the 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. 6119, by Senators Conway, Holy, King, Keiser, Pedersen, Van De Wege, Wilson, L. and Saldaña

Authorizing that money laundering forfeited proceeds and property be used for improvement of gambling-related law enforcement activities.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 6119 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Conway spoke in favor of passage of the bill.

Senator Hasegawa spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6119.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6119 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

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

Voting nay: Senators Hasegawa and Saldaña

SENATE BILL NO. 6119, having received the 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. 6131, by Senators Mullet, Hobbs, Short, Wilson, L. and Das

Repealing the debenture company laws from the securities act of Washington.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, Senate Bill No. 6131 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6131.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6131 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6131, having received the 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. 6038, by Senators Rivers, Cleveland, Keiser, Short, Conway, Kuderer, Saldaña, and Wilson, C.

Concerning acupuncture and Eastern medicine.

The measure was read the second time.

MOTION

On motion of Senator Rivers, the rules were suspended, Senate Bill No. 6038 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 Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6038.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6038 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator Schoesler

SENATE BILL NO. 6038, having received the 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. 6136, by Senators Nguyen and O'Ban

Updating restrictions on electronic benefit cards.

The measure was read the second time.

MOTION

On motion of Senator Nguyen, the rules were suspended, Senate Bill No. 6136 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen and Walsh spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6136.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6136 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator Schoesler

SENATE BILL NO. 6136, having received the 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. 6468, by Senators Randall, Frockt, Saldaña, and Wilson, C.

Repealing the legislative advisory committee to the committee on advanced tuition payment.

The measure was read the second time.

MOTION

On motion of Senator Randall, the rules were suspended, Senate Bill No. 6468 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall, Holy and Frockt spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6468.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6468 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6468, having received the 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 12:19 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Thursday, February 6, 2020.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

TWENTY FIFTH DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, February 6, 2020

The Senate was called to order at 12:01 p.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 5, 2020

SB 5494 Prime Sponsor, Senator Zeiger: Concerning the baby court initiative. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5494 be substituted therefor, and the second substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 5, 2020

SB 5759 Prime Sponsor, Senator Cleveland: Increasing opportunities for the use of remote technology in eye exams. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5759 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Rivers.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban, Ranking Member; Muzzall and Van De Wege.

Referred to Committee on Rules for second reading.

February 4, 2020

SB 5900 Prime Sponsor, Senator Randall: Promoting access to earned benefits and services for lesbian, gay, bisexual, transgender, and queer veterans. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5900 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair,

Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Schoesler.

Referred to Committee on Rules for second reading.

February 4, 2020

SB 5976 Prime Sponsor, Senator Rolfes: Concerning the access to baby and child dentistry program for children with disabilities. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5976 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 5, 2020

SB 6050 Prime Sponsor, Senator Cleveland: Concerning insurance guaranty fund. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6050 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Van De Wege.

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

MINORITY recommendation: Do not pass. Signed by Senators O'Ban, Ranking Member; Becker and Rivers.

Referred to Committee on Ways & Means.

February 5, 2020

SB 6064 Prime Sponsor, Senator Wagoner: Requiring full body scanners at each department of corrections institution. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6064 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 5, 2020

SB 6068 Prime Sponsor, Senator Warnick: Concerning sales and use tax exemptions for large private airplanes. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6068 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

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

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6091 Prime Sponsor, Senator Warnick: Continuing the work of the Washington food policy forum. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 5, 2020

SB 6097 Prime Sponsor, Senator Rolfes: Requiring the insurance commissioner to review a health carrier's surplus levels as part of its rate filing review process. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6097 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Frockt; Keiser and Van De Wege.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban, Ranking Member; Becker; Dhingra and Muzzall.

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6141 Prime Sponsor, Senator Randall: Expanding access to higher education. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 6141 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Ways & Means.

February 4, 2020

SB 6142 Prime Sponsor, Senator Liias: Creating the Washington common application. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 6142 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Ways & Means.

February 5, 2020

SB 6190 Prime Sponsor, Senator Braun: Preserving the developmental disabilities community trust. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

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

Referred to Committee on Rules for second reading.

February 5, 2020

SB 6204 Prime Sponsor, Senator Darneille: Concerning prisoner fatality and near fatality reviews for persons in the custody of the department of corrections. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6204 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers; Schoesler and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Wagoner.

Referred to Committee on Rules for second reading.

February 5, 2020

SB 6209 Prime Sponsor, Senator Randall: Joining the nurse licensure compact. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6209 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice

TWENTY FIFTH DAY, FEBRUARY 6, 2020

2020 REGULAR SESSION

Chair; O'Ban, Ranking Member; Dhingra; Frockt; Muzzall and Rivers.

February 5, 2020

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Conway and Keiser.

SB 6354 Prime Sponsor, Senator King: Providing enhanced payment to low volume, small rural hospitals. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; O'Ban, Ranking Member; Becker; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senator Van De Wege.

Referred to Committee on Ways & Means.

Referred to Committee on Rules for second reading.

February 4, 2020

February 5, 2020

SB 6270 Prime Sponsor, Senator Darneille: Concerning the resolution of warrants by persons serving a term of confinement in prison or juvenile rehabilitation. Reported by Committee on Human Services, Reentry & Rehabilitation

SB 6358 Prime Sponsor, Senator Randall: Requiring medicaid managed care organizations to provide reimbursement of health care services provided by substitute providers. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6270 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

MAJORITY recommendation: That Substitute Senate Bill No. 6358 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Rules for second reading.

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

February 4, 2020

Referred to Committee on Rules for second reading.

SB 6306 Prime Sponsor, Senator Liias: Creating the Washington soil health initiative. Reported by Committee on Ways & Means

February 5, 2020

MAJORITY recommendation: That Substitute Senate Bill No. 6306 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

SB 6359 Prime Sponsor, Senator Short: Creating regulation exemptions for rural health clinics providing services in a designated home health shortage area. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 5, 2020

February 5, 2020

SB 6334 Prime Sponsor, Senator Salomon: Concerning urban housing supply. Reported by Committee on Housing Stability & Affordability

SB 6364 Prime Sponsor, Senator Zeiger: Incentivizing smaller, more affordable single-family home development through impact fee schedule modifications. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 6334 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

MAJORITY recommendation: That Substitute Senate Bill No. 6364 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 5, 2020

February 5, 2020

SB 6336 Prime Sponsor, Senator Hunt: Allowing the use of parental leave after a pregnancy disability is resolved. Reported by Committee on State Government, Tribal Relations & Elections

SB 6365 Prime Sponsor, Senator Warnick: Concerning payments in lieu of real property taxes by the department of fish and wildlife. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra;

Referred to Committee on Rules for second reading.

Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6370 Prime Sponsor, Senator Nguyen: Concerning individuals under the department of corrections' jurisdiction. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6385 Prime Sponsor, Senator Zeiger: Providing for jobs training for homeless individuals. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 4, 2020

SB 6397 Prime Sponsor, Senator Frockt: Concerning nonparticipating providers. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6397 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 5, 2020

SB 6400 Prime Sponsor, Senator Randall: Mitigating inequity in the health insurance market caused by health plans that exclude certain mandated benefits. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6400 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban, Ranking Member and Becker.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall and Rivers.

Referred to Committee on Ways & Means.

February 5, 2020

SB 6404 Prime Sponsor, Senator Frockt: Adopting prior authorization and appropriate use criteria in patient care. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6404 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

February 5, 2020

SB 6407 Prime Sponsor, Senator Van De Wege: Concerning spinal manipulation endorsement requirements for physical therapists. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Dhingra; Frockt; Rivers and Van De Wege.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban, Ranking Member; Becker; Keiser and Muzzall.

Referred to Committee on Rules for second reading.

February 5, 2020

SB 6411 Prime Sponsor, Senator Das: Expanding the property tax exemption for new and rehabilitated multiple-unit dwellings in urban growth areas. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 6411 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member and Saldaña.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Darneille and Warnick.

Referred to Committee on Ways & Means.

February 4, 2020

SB 6419 Prime Sponsor, Senator Keiser: Concerning implementation of the recommendations of the December 2019 report from the William D. Ruckelshaus center regarding residential habilitation center clients. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6419 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 4, 2020

TWENTY FIFTH DAY, FEBRUARY 6, 2020

SB 6425 Prime Sponsor, Senator Stanford: Establishing the American Indian cultural study grant. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Ways & Means.

February 5, 2020

SB 6428 Prime Sponsor, Senator Cleveland: Providing funding for medical evaluations of suspected victims of child abuse. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6428 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 5, 2020

SB 6443 Prime Sponsor, Senator Kuderer: Concerning convictions for offenses that were committed at age sixteen or seventeen and placed in exclusive jurisdiction of the juvenile court in 2018. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6443 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland and Wilson, C.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban.

Referred to Committee on Ways & Means.

February 5, 2020

SB 6444 Prime Sponsor, Senator Kuderer: Concerning juvenile records. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6444 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban and Zeiger.

Referred to Committee on Rules for second reading.

February 5, 2020

SB 6449 Prime Sponsor, Senator Wellman: Requiring contact information for suicide prevention and crisis intervention organizations on student and staff identification cards. Reported by Committee on Early Learning & K-12 Education

2020 REGULAR SESSION

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

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

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6472 Prime Sponsor, Senator Lovelett: Standardizing definitions of homelessness to improve access to services. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6472 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 5, 2020

SB 6479 Prime Sponsor, Senator Wellman: Concerning optional benefits offered by school districts. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner and Warnick.

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

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6495 Prime Sponsor, Senator Walsh: Regarding essential needs and housing support eligibility. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 4, 2020

SB 6500 Prime Sponsor, Senator Padden: Addressing foster care licensing following a foster-family home licensee's move to a new location. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6500 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6507 Prime Sponsor, Senator Nguyen: Concerning legislative reporting requirements for certain department of children, youth, and families programs. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 5, 2020

SB 6512 Prime Sponsor, Senator Rolfes: Providing housing to school district employees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6512 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; McCoy; Pedersen; Salomon and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy and Mullet.

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

Referred to Committee on Ways & Means.

February 5, 2020

SB 6521 Prime Sponsor, Senator Wellman: Creating an innovative learning pilot program. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6521 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Ways & Means.

February 5, 2020

SB 6526 Prime Sponsor, Senator Cleveland: Reusing and donating unexpired prescription drugs. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6526 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

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

Referred to Committee on Rules for second reading.

February 5, 2020

SB 6536 Prime Sponsor, Senator Das: Creating more housing options in traditionally single-family zones. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 6536 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Darneille and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senators Zeiger, Ranking Member and Warnick.

Referred to Committee on Rules for second reading.

February 4, 2020

SB 6542 Prime Sponsor, Senator Liias: Adopting a uniform statewide automatic admissions policy at the four-year institutions of higher education. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Ways & Means.

February 5, 2020

SB 6551 Prime Sponsor, Senator Stanford: Integrating international medical graduates into Washington's health care delivery system. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban, Ranking Member; Becker; Muzzall and Rivers.

Referred to Committee on Ways & Means.

February 4, 2020

SB 6556 Prime Sponsor, Senator Cleveland: Expanding reporting options for mandated reporters of child abuse and neglect. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 5, 2020

SB 6557 Prime Sponsor, Senator Saldaña: Adding individual tax identification number filers to the working families tax credit. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Cleveland and Wilson, C.

TWENTY FIFTH DAY, FEBRUARY 6, 2020

2020 REGULAR SESSION

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Walsh, Ranking Member and O'Ban.

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

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

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 5, 2020

February 4, 2020
SB 6559 Prime Sponsor, Senator Conway: Increasing the maximum Washington college grant award at independent institutions of higher education. Reported by Committee on Higher Education & Workforce Development

SB 6617 Prime Sponsor, Senator Liias: Concerning accessory dwelling unit regulation. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 6617 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Darneille and Saldaña.

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

MINORITY recommendation: Do not pass. Signed by Senators Zeiger, Ranking Member and Warnick.

Referred to Committee on Ways & Means.

Referred to Committee on Rules for second reading.

February 4, 2020

February 5, 2020

SB 6561 Prime Sponsor, Senator Liias: Creating the undocumented student support loan program. Reported by Committee on Higher Education & Workforce Development

SB 6626 Prime Sponsor, Senator Conway: Creating the position of military spouse liaison. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6561 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Chair; Stanford, Vice Chair and Liias.

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

MINORITY recommendation: Do not pass. Signed by Senators Holy, Ranking Member and Brown.

Referred to Committee on Ways & Means.

Referred to Committee on Ways & Means.

February 5, 2020

February 5, 2020

SB 6564 Prime Sponsor, Senator Braun: Providing incentives to employers to hire certain hard-to-place job seekers. Reported by Committee on Human Services, Reentry & Rehabilitation

SB 6630 Prime Sponsor, Senator Zeiger: Increasing accountability for public housing authorities. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 6564 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

MAJORITY recommendation: That Substitute Senate Bill No. 6630 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Ways & Means.

Referred to Committee on Rules for second reading.

February 5, 2020

February 5, 2020

SB 6567 Prime Sponsor, Senator Frockt: Recognizing the eighteenth day of December as blood donor day. Reported by Committee on State Government, Tribal Relations & Elections

SB 6631 Prime Sponsor, Senator Saldaña: Concerning the sales and use tax for affordable and supportive housing. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

MAJORITY recommendation: That Substitute Senate Bill No. 6631 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille and Saldaña.

Referred to Committee on Rules for second reading.

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

Referred to Committee on Ways & Means.

February 4, 2020

February 5, 2020

SB 6577 Prime Sponsor, Senator Liias: Creating a statewide child savings account program. Reported by Committee on Higher Education & Workforce Development

SB 6649 Prime Sponsor, Senator Zeiger: Establishing a local sales and use tax option to fund emergency homeless shelters. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: That Substitute Senate Bill No. 6649 be substituted therefor, and the substitute bill do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senators Darneille and Warnick.

Referred to Committee on Ways & Means.

February 5, 2020

SB 6663 Prime Sponsor, Senator Brown: Studying dual diagnoses of eating disorder and diabetes mellitus type 1. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Dhingra; Frockt; Keiser; Muzzall and Van De Wege.

Referred to Committee on Ways & Means.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 6358 and Senate Bill No. 6557 which had been designated to the Committee on Ways & Means and were referred to the Committee on Rules; and Senate Bill No. 6495 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

MOTION

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

MESSAGE FROM THE HOUSE

February 5, 2020

MADAM PRESIDENT:

The House has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1521,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6677 by Senators Lovelett and Nguyen

AN ACT Relating to restoring voter-approved transportation benefit district vehicle fees; amending RCW 36.73.065; adding a new section to chapter 82.80 RCW; and providing a contingent expiration date.

Referred to Committee on Transportation.

SB 6678 by Senators Honeyford, Braun, Conway, Muzzall, Hobbs and Wagoner

AN ACT Relating to providing a sales and use tax exemption for materials and labor purchased by veterans' organizations

in the construction of memorials; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; and providing an effective date.

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

SB 6679 by Senators Zeiger, Wellman, O'Ban, Nguyen, Rivers, Hasegawa, Conway, Schoesler, Billig and Warnick
AN ACT Relating to declaring January as Chinese American history month and encouraging public schools to commemorate the month; and adding a new section to chapter 43.117 RCW.

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

SB 6680 by Senators Lovelett, Nguyen, Randall and Kuderer
AN ACT Relating to providing a local government option for the funding of essential affordable housing programs; amending RCW 67.28.181 and 82.14.410; and adding a new section to chapter 67.28 RCW.

Referred to Committee on Housing Stability & Affordability.

SJR 8218 by Senator Stanford

Amending the state Constitution to provide property tax relief.

Referred to Committee on Ways & Means.

MOTION

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

MOTION

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

MOTION

Senator Padden moved adoption of the following resolution:

SENATE RESOLUTION 8673

By Senators Padden, Becker, Braun, Rolfes, O'Ban, Hobbs, King, Sheldon, Zeiger, Fortunato, and Wagoner

WHEREAS, On February 6, 1911, Ronald Wilson Reagan was born in Tampico, Illinois to parents John Edward and Nellie Wilson Reagan; and

WHEREAS, Ronald Reagan modeled the American dream, from growing up in a struggling family to obtaining a higher education, acting in movies, and working in public office; and

WHEREAS, After making unsuccessful bids for the Republican nomination twice, he ran in the 1980 presidential election; and

WHEREAS, Ronald Reagan was elected to be the 40th President of the United States and served two terms from 1981 to 1989; and

TWENTY FIFTH DAY, FEBRUARY 6, 2020

2020 REGULAR SESSION

WHEREAS, He won 525 of the 538 electoral college votes in his bid for reelection, the most ever won by a presidential candidate; and

At 12:12 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock p.m. Friday, February 7, 2020.

WHEREAS, Ronald Reagan was nicknamed "the great communicator" because of his honesty and connection with the people of the United States; and

KAREN KEISER, President Pro Tempore of the Senate

WHEREAS, He was dedicated to improving the lives of everyone around the world, emphasizing that "America is a shining city upon a hill whose beacon light guides freedom-loving people everywhere"; and

BRAD HENDRICKSON, Secretary of the Senate

WHEREAS, In 1987, Ronald Reagan stood firmly on the side of freedom and denounced the Soviet Union, demanding Mikhail Gorbachev "tear down this wall" at the Brandenburg Gate in Berlin; and

WHEREAS, His understanding that "peace is not the absence of conflict but the ability to cope with conflict by peaceful means" brought an end to the Cold War; and

WHEREAS, Ronald Reagan stressed the importance of preserving individual freedoms by asking "what kind of people do we think we are"? and answering it with "free people, worthy of freedom and determined not only to remain so but to help others gain their freedom as well"; and

WHEREAS, While taking inspiration from the past, Ronald Reagan envisioned a bright future for the nation; and

WHEREAS, Ronald Reagan was the embodiment of a leader, stating, "there are no great limits to growth because there are no limits of human intelligence, imagination, and wonder"; and

WHEREAS, By decreasing unemployment, federal interest rates, and inflation, Ronald Reagan became a symbol of hope for the American people and made our country "prouder, and stronger, and better"; and

WHEREAS, On June 5, 2004, Ronald Reagan passed away after a decade long battle with Alzheimer's Disease; and

WHEREAS, His tombstone is inscribed with the inspirational words he once spoke to the people, "I know in my heart that man is good, that what is right will always eventually triumph and that there is purpose and worth to each and every life";

NOW, THEREFORE, BE IT RESOLVED, That on this day, the Senate honor the 40th president of the United States, Ronald Wilson Reagan, a patriot who restored America's spirit and improved the quality of life for individuals at home and around the world.

Senator Padden 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. 8673.

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

REMARKS BY SENATOR LIAS

Senator Liias: "Thank you Madam President. I always appreciate Senator Padden reminding us of the February 6 anniversary. I also like to share other February 6th notable dates, 94 years ago the first donut making machine appeared on February 6th. So, whether you like President Reagan or you like donuts, February 6th is a big day in the United States of America."

MOTION

TWENTY SIXTH DAY

NOON SESSION

Senate Chamber, Olympia
Friday, February 7, 2020

The Senate was called to order at 12:00 o'clock noon by the Vice President Pro Tempore, Senator Conway presiding. No roll call was taken.

MOTION

Pursuant to Rule 46, on motion of Senator Liias and without objection, the Committee on State Government, Tribal Relations & Elections was granted special leave to meet during the day's floor session.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 5, 2020

SB 5299 Prime Sponsor, Senator Padden: Concerning impaired driving. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5299 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hunt; Keiser; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Capital Budget Cabinet and Hasegawa.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 5867 Prime Sponsor, Senator Zeiger: Resentencing of persons convicted of drug offenses. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5867 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 5, 2020

SB 6087 Prime Sponsor, Senator Keiser: Imposing cost-sharing requirements for coverage of insulin products. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6087 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen and Van De Wege.

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

Referred to Committee on Rules for second reading.

February 5, 2020

SB 6113 Prime Sponsor, Senator Keiser: Creating a central insulin purchasing program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6113 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Van De Wege and Wagoner.

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

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6122 Prime Sponsor, Senator Keiser: Protecting temporary workers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6122 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; Schoesler and Walsh.

Referred to Committee on Rules for second reading.

February 5, 2020

SB 6123 Prime Sponsor, Senator Hunt: Allowing state employee leave for organ donation. Reported by Committee on Ways & Means

TWENTY SIXTH DAY, FEBRUARY 7, 2020

2020 REGULAR SESSION

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner and Warnick.

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

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6135 Prime Sponsor, Senator Sheldon: Concerning system reliability under the clean energy transformation act. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 6135 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short; Stanford and Wellman.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6139 Prime Sponsor, Senator Mullet: Extending the joint center for aerospace technology innovation program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6139 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker; Billig; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6172 Prime Sponsor, Senator Braun: Extending the business and occupation tax exemption for amounts received as credits against contracts with or funds provided by the Bonneville power administration and used for low-income ratepayer assistance and weatherization. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy

& Technology; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short; Stanford and Wellman.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6210 Prime Sponsor, Senator Lovelett: Concerning antifouling paints on recreational water vessels. 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 Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6211 Prime Sponsor, Senator Dhingra: Concerning drug offender sentencing. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6211 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6239 Prime Sponsor, Senator Conway: Addressing compliance with apprenticeship utilization requirements and bidding on public works projects. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and Walsh.

MINORITY recommendation: Do not pass. Signed by Senators Braun and Schoesler.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6247 Prime Sponsor, Senator Saldaña: Providing labor protections for domestic workers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6247 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Schoesler and Walsh.

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

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6259 Prime Sponsor, Senator McCoy: Improving the Indian behavioral health system. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6259 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6278 Prime Sponsor, Senator Carlyle: Concerning water withdrawals for commercial bottled water production. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6278 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; McCoy and Rolfes.

MINORITY recommendation: Do not pass. Signed by Senators Warnick, Ranking Member; Honeyford and Short.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6281 Prime Sponsor, Senator Carlyle: Concerning the management and oversight of personal data. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6281 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Dhingra; Hunt; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway; Darneille; Hasegawa and Keiser.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6286 Prime Sponsor, Senator Frockt: Permitting athlete agents to provide some benefits to student athletes. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member; Braun and Walsh.

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

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6289 Prime Sponsor, Senator Dhingra: Concerning the restoration of the right to possess a firearm. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6289 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6295 Prime Sponsor, Senator Salomon: Concerning false reporting of a crime or emergency. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6307 Prime Sponsor, Senator Liias: Communicating mass violence threats. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6329 Prime Sponsor, Senator Warnick: Concerning the misbranding of meat and poultry products. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6329 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

MINORITY recommendation: Do not pass. Signed by Senator Salomon, Vice Chair.

Referred to Committee on Rules for second reading.

February 6, 2020

TWENTY SIXTH DAY, FEBRUARY 7, 2020

2020 REGULAR SESSION

SB 6331 Prime Sponsor, Senator Mullet: Concerning captive insurers. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 6331 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Wilson, L., Ranking Member; Braun; Ericksen and Hobbs.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa, Vice Chair and Das.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6340 Prime Sponsor, Senator Conway: Preserving the ability of auto dealers to offer consumers products not supplied by an auto manufacturer. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6340 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford and Wellman.

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

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6341 Prime Sponsor, Senator Stanford: Requiring the liquor and cannabis board to provide written interpretations of liquor statutes and rules. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6355 Prime Sponsor, Senator Van De Wege: Recognizing the contributions of the state's forest products sector as part of the state's global climate response. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6355 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6356 Prime Sponsor, Senator Padden: Requiring training on human trafficking. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6361 Prime Sponsor, Senator Kuderer: Concerning the administration of election campaign activities and reporting statements of financial affairs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6361 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Billig; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Lias; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner and Warnick.

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

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

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6369 Prime Sponsor, Senator Nguyen: Concerning individuals serving community custody terms. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6369 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6374 Prime Sponsor, Senator Holy: Concerning apprenticeship materials for dual credit scholarship programs. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Lias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6393 Prime Sponsor, Senator Conway: Concerning cannabis industry workplace standards. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6393 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; Schoesler and Walsh.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6394 Prime Sponsor, Senator Saldaña: Authorizing sports wagering subject to the terms of tribal-state gaming compacts. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6394 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member and Walsh.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Schoesler.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6401 Prime Sponsor, Senator Warnick: Concerning noxious weeds. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; McCoy and Rolfes.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford and Short.

Referred to Committee on Ways & Means.

February 5, 2020

SB 6408 Prime Sponsor, Senator Wilson, L.: Concerning agency responsibilities to regulated businesses and professions. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6440 Prime Sponsor, Senator Stanford: Concerning industrial insurance medical examinations. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6440 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Walsh.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6442 Prime Sponsor, Senator Saldaña: Concerning private detention facilities. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6442 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban and Zeiger.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6450 Prime Sponsor, Senator Padden: Establishing the warm water fishing advisory group. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6470 Prime Sponsor, Senator Fortunato: Reducing unnecessary paperwork to promote development. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Carlyle, Chair; Erickson, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Das; Hobbs; Nguyen; Rivers; Short and Wellman.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Lovelett, Vice Chair; Liias and Stanford.

Referred to Committee on Rules for second reading.

February 6, 2020

TWENTY SIXTH DAY, FEBRUARY 7, 2020

2020 REGULAR SESSION

SB 6476 Prime Sponsor, Senator Stanford: Increasing and expanding access of inmates and immediate family members of inmates to services provided within correctional facilities. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6476 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6488 Prime Sponsor, Senator Rolfes: Concerning aerial herbicides in forestlands. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6488 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; McCoy and Rolfes.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Warnick, Ranking Member.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6489 Prime Sponsor, Senator Saldaña: Concerning possession of vapor, vapor products, tobacco, and tobacco products by persons under the age of twenty-one. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6489 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Cleveland; Wilson, C. and Zeiger.

MINORITY recommendation: Do not pass. Signed by Senator O'Ban.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Walsh, Ranking Member.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6494 Prime Sponsor, Senator Rolfes: Concerning trust water rights. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6494 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; McCoy; Rolfes and Short.

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

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6501 Prime Sponsor, Senator Padden: Concerning the unlawful disposition of human remains. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6501 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6518 Prime Sponsor, Senator Rolfes: Reducing prenatal exposure and harm to children by limiting environmental exposure to certain pesticides. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6518 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; McCoy and Rolfes.

MINORITY recommendation: Do not pass. Signed by Senators Warnick, Ranking Member; Honeyford and Short.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6527 Prime Sponsor, Senator Frockt: Collecting information regarding police use of deadly force. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6527 be substituted therefor, and the substitute bill do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6528 Prime Sponsor, Senator Lovett: Concerning the prevention of derelict vessels. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6528 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6537 Prime Sponsor, Senator McCoy: Concerning the membership of the criminal justice training commission. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6560 Prime Sponsor, Senator Wilson, C.: Studying the feasibility of postsecondary student housing within retirement facilities. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 6560 be substituted therefor, and the substitute bill do pass. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6578 Prime Sponsor, Senator Honeyford: Designating pumped storage projects located in a county bordering the Columbia river utilizing statutorily authorized water rights to be projects of statewide significance. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6578 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy and Short.

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

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6584 Prime Sponsor, Senator Zeiger: Concerning the unlawful purchase of a firearm. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6585 Prime Sponsor, Senator Zeiger: Encouraging the use of medication-assisted treatment within jails. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6585 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6591 Prime Sponsor, Senator Dhingra: Establishing a work group to address mental health advance directives. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6591 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6599 Prime Sponsor, Senator Nguyen: Updating food benefit references. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6605 Prime Sponsor, Senator Holy: Licensing security guards. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That Substitute Senate Bill No. 6605 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6611 Prime Sponsor, Senator Darneille: Concerning families in conflict. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6611 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6613 Prime Sponsor, Senator Rolfes: Concerning the inspection of marine aquatic farming locations. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6613 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

February 6, 2020

TWENTY SIXTH DAY, FEBRUARY 7, 2020

2020 REGULAR SESSION

SB 6622 Prime Sponsor, Senator Das: Establishing a comprehensive, statewide photovoltaic module recovery, reuse, recycling, and end-of-life program. Reported by Committee on Environment, Energy & Technology

Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

MAJORITY recommendation: That Substitute Senate Bill No. 6622 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Das; Hobbs; Lias; McCoy; Nguyen; Rivers; Short; Stanford and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Fortunato, Assistant Ranking Member, Environment.

MINORITY recommendation: Do not pass. Signed by Senator Ericksen, Ranking Member.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6628 Prime Sponsor, Senator Carlyle: Concerning emissions of greenhouse gases. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: That Substitute Senate Bill No. 6628 be substituted therefor, and the substitute bill do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Das; Lias; McCoy; Nguyen; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Brown; Rivers and Short.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6635 Prime Sponsor, Senator Fortunato: Allowing for alternative public notice of applications for coverage under the construction stormwater general permit. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Carlyle, Chair; Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Das; Hobbs; Lias; McCoy; Nguyen; Rivers; Short; Stanford and Wellman.

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

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6638 Prime Sponsor, Senator Wilson, C.: Providing reentry services. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6638 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice

February 6, 2020

SB 6641 Prime Sponsor, Senator O'Ban: Increasing the availability of certified sex offender treatment providers. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 6641 be substituted therefor, and the substitute bill do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6651 Prime Sponsor, Senator Fortunato: Preventing the local prohibition of tenant evictions for any period of time. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That Substitute Senate Bill No. 6651 be substituted therefor, and the substitute bill do pass. Signed by Senators Mullet, Chair; Wilson, L., Ranking Member; Braun; Ericksen and Hobbs.

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

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

Referred to Committee on Rules for second reading.

February 5, 2020

SB 6660 Prime Sponsor, Senator Rolfes: Improving fiscal responsibility and budget discipline by replacing the spending limit with additional four-year balanced budget requirements. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6660 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Darneille; Dhingra; Hunt; Keiser; Lias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Becker and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6668 Prime Sponsor, Senator Stanford: Increasing services and activities fee transparency at colleges and universities. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6670 Prime Sponsor, Senator Billig: Encouraging access to state parks through cooperative programs with libraries. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6670 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6671 Prime Sponsor, Senator Van De Wege: Authorizing the department of revenue to collect tribal timber harvest excise tax under a timber harvest excise tax agreement authorized in chapter 43.06 RCW. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; McCoy and Rolfes.

MINORITY recommendation: Do not pass. Signed by Senators Warnick, Ranking Member; Honeyford and Short.

Referred to Committee on Ways & Means.

February 6, 2020

SGA 9349 JERRY J. MENINICK, appointed on October 30, 2019, for the term ending June 12, 2023, as Member of the Columbia River Gorge Commission. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

February 6, 2020

SGA 9353 WARREN P. ROCKEFELLER, appointed on November 25, 2019, for the term ending July 15, 2023, as Chair of the Salmon Recovery Funding Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; McCoy; Rolfes and Short.

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

Referred to Committee on Rules for second reading.

February 6, 2020

SGA 9359 JENNIFER R. ALBRIGHT, reappointed on December 5, 2019, for the term ending August 2, 2022, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2020

SGA 9379 DEREK M. YOUNG, appointed on January 15, 2020, for the term ending August 2, 2021, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2020

SGA 9384 SHILOH BURGESS, appointed on January 23, 2020, for the term ending December 31, 2022, as Member of the Recreation and Conservation Funding Board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 6440 which had been designated to the Committee on Ways & Means and was referred to the Committee on Rules and Senate Bill No. 6394 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

MOTION

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

MESSAGE FROM THE HOUSE

February 6, 2020

MR. PRESIDENT:
The House has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6492, and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

TWENTY SIXTH DAY, FEBRUARY 7, 2020

2020 REGULAR SESSION

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

INTRODUCTION AND FIRST READING

SB 6681 by Senator Van De Wege

AN ACT Relating to increasing housing access and affordability by decreasing construction costs associated with implementing the Washington state energy code for residential buildings; amending RCW 19.27A.020, 19.27A.045, and 19.27A.160; creating a new section; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

SJM 8021 by Senator Fortunato

Requesting to commence proceedings naming state route number 165 The Glacier Highway.

Referred to Committee on Transportation.

E2SHB 1521 by House Committee on Appropriations (originally sponsored by Dolan, Harris, Valdez, Frame, Caldier, MacEwen, Griffey, Blake, Sells, Tarleton, Fitzgibbon, Ryu, Kilduff and Ormsby)

AN ACT Relating to protecting taxpayers by providing for accountability and transparency in government contracting; amending RCW 41.06.142, 39.26.200, and 39.26.180; adding a new section to chapter 39.26 RCW; and creating new sections.

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

MOTION

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

MOTION

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

MOTION

Senator Schoesler moved adoption of the following resolution:

SENATE RESOLUTION
8672

By Senators Schoesler and Liias

WHEREAS, Since its founding on February 18, 1950, representing over eight thousand members in fourteen local associations across the state, the Building Industry Association of Washington (BIAW) has provided safe, decent, and attainable housing for our population; and

WHEREAS, BIAW represents not only the nation's oldest and largest local home building association, it is the third largest statewide association in the country; and

WHEREAS, In 2018 alone, the building industry provided economic growth to our state through the creation of 103,315 jobs, generating 8.4 billion dollars in family wages; and

WHEREAS, Home builders pay more than 2.2 billion dollars in state and local taxes annually through the direct and indirect impact of new home construction; and

WHEREAS, Home builders strive to beautify the community and conserve our environment by developing parks, green space, and wooded landscapes;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the seventieth anniversary of the Building Industry Association of Washington and its members; and

BE IT FURTHER RESOLVED, That the copies of this resolution be transmitted by the Secretary of the Senate to the leadership team of the Building Industry Association of Washington.

Senators Schoesler and Liias spoke in favor of adoption of the resolution.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8672.

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

INTRODUCTION OF SPECIAL GUESTS

The Vice President Pro Tempore welcomed and introduced representatives of the Building Industry Association of Washington, consisting of President Sherry Schwab, First Vice President Tracey Doriot, Executive Vice President Greg Lane and Treasurer Joseph Irons who were seated in the gallery.

SIGNED BY THE VICE PRESIDENT PRO TEMPORE

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 6492

REMARKS BY SENATOR LIIAS

Senator Liias: "I do just want to note that today is an important milestone, it is Charles Dickens anniversary of his birthday and as Charles Dickens said 'It was the best of times, it was the worst of times.' I think that also applies to Bob Cantore who is celebrating his 72nd birthday today and it has become a popular Senate tradition. We celebrate Bob Cantore Day here at the Senate."

Vice President Pro Tempore Conway: "I join also in wishing Happy Birthday to Bob Cantore."

MOTION

At 12:10 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of reading in committee reports later in the day.

The Senate was called to order at 3:50 p.m. by the acting President Pro Tempore, Senator Hunt presiding.

MOTION

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

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

February 7, 2020

SB 5908 Prime Sponsor, Senator Das: Providing training for equity and cultural competency in the public school system. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5908 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Holy; Padden and Wagoner.

Referred to Committee on Ways & Means.

February 6, 2020

SB 6027 Prime Sponsor, Senator Pedersen: Concerning floating residences. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6027 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6040 Prime Sponsor, Senator Braun: Concerning the budgeting process for certain state waiver services for individuals with developmental disabilities. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6040 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 7, 2020

SB 6183 Prime Sponsor, Senator Hunt: Allowing service and overseas voters to use the common access card as a digital signature for proof of identity on certain election materials.

Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6183 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Assistant Ranking Member Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

February 7, 2020

SB 6262 Prime Sponsor, Senator McCoy: Teaching Washington's tribal history, culture, and government. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6262 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; Holy and Padden.

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

Referred to Committee on Rules for second reading.

February 7, 2020

SB 6263 Prime Sponsor, Senator McCoy: Creating a model educational data sharing agreement between school districts and tribes. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 7, 2020

SB 6264 Prime Sponsor, Senator McCoy: Concerning school district consultation with local tribes. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6264 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; Holy; Padden and Wagoner.

Referred to Committee on Ways & Means.

February 7, 2020

SB 6274 Prime Sponsor, Senator Keiser: Protecting patient safety in psychiatric hospitals and other health care facilities.

TWENTY SIXTH DAY, FEBRUARY 7, 2020

2020 REGULAR SESSION

Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6274 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

Referred to Committee on Ways & Means.

February 7, 2020

SB 6297 Prime Sponsor, Senator Padden: Recognizing the experience of existing early learning providers to meet educational requirements. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6297 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 7, 2020

SB 6311 Prime Sponsor, Senator Zeiger: Concerning persons with substance use disorders. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6311 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

Referred to Committee on Ways & Means.

February 7, 2020

SB 6339 Prime Sponsor, Senator Hunt: Creating a computer science grant program for school districts. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6339 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Ways & Means.

February 7, 2020

SB 6371 Prime Sponsor, Senator Hunt: Expanding school library information and technology programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6371 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Ways & Means.

February 7, 2020

SB 6447 Prime Sponsor, Senator Liias: Requiring a coprescription of opioid overdose reversal medication. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6447 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Darneille and Frockt.

MINORITY recommendation: Do not pass. Signed by Senator Wagoner, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban.

Referred to Committee on Ways & Means.

February 7, 2020

SB 6480 Prime Sponsor, Senator Mullet: Developing comprehensive school counseling programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Holy; Hunt; Mullet; Pedersen and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; McCoy; Padden and Wagoner.

Referred to Committee on Rules for second reading.

February 7, 2020

SB 6482 Prime Sponsor, Senator Wilson, C.: Concerning licensing by the department of children, youth, and families. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6482 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Holy and Padden.

Referred to Committee on Ways & Means.

February 7, 2020

SB 6483 Prime Sponsor, Senator Wilson, C.: Concerning rating requirements for child care providers. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6483 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 7, 2020

SB 6499 Prime Sponsor, Senator Schoesler: Concerning the confidentiality of retirement system files and records relating to health information. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6499 be substituted therefor, and the substitute bill do pass. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

February 7, 2020

SB 6505 Prime Sponsor, Senator Mullet: Expanding access to dual credit opportunities by eliminating direct costs to students and families. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6505 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Holy; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member and Padden.

Referred to Committee on Rules for second reading.

February 7, 2020

SB 6511 Prime Sponsor, Senator Carlyle: Increasing equitable educational outcomes for foster care and homeless children and youth from prekindergarten to postsecondary education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6511 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senators Holy and Padden.

Referred to Committee on Ways & Means.

February 7, 2020

SB 6513 Prime Sponsor, Senator Frockt: Restricting the use of deepfake audio or visual media in campaigns for elective office. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6513 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Assistant Ranking Member Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

February 7, 2020

SB 6540 Prime Sponsor, Senator Wilson, C.: Concerning working connections child care payment authorizations. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; Holy; Padden and Wagoner.

Referred to Committee on Ways & Means.

February 7, 2020

SB 6547 Prime Sponsor, Senator Wellman: Completing the transfer of the early support for infants and toddlers program from the office of the superintendent of public instruction to the department of children, youth, and families. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6547 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

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

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

Referred to Committee on Ways & Means.

February 7, 2020

SB 6563 Prime Sponsor, Senator Conway: Creating statutory authorization for school-based health centers. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Holy; Padden and Wagoner.

Referred to Committee on Rules for second reading.

February 7, 2020

SB 6570 Prime Sponsor, Senator King: Concerning law enforcement officer mental health and wellness. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6570 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

TWENTY SIXTH DAY, FEBRUARY 7, 2020

2020 REGULAR SESSION

Referred to Committee on Ways & Means.

February 7, 2020

SB 6607 Prime Sponsor, Senator Billig: Permitting students to wear traditional tribal regalia and objects of cultural significance at graduation ceremonies and related events. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Holy; Hunt; McCoy; Mullet; Padden; Pedersen and Salomon.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hawkins, Ranking Member.

Referred to Committee on Rules for second reading.

February 7, 2020

SB 6610 Prime Sponsor, Senator Kuderer: Concerning advisory votes. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6610 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Zeiger, Ranking Member.

MINORITY recommendation: Do not pass. Signed by Senator Muzzall, Assistant Ranking Member.

Referred to Committee on Rules for second reading.

February 7, 2020

SB 6646 Prime Sponsor, Senator Zeiger: Creating a pilot program for gender-responsive and trauma-informed outpatient substance abuse treatment. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

Referred to Committee on Ways & Means.

February 7, 2020

SB 6648 Prime Sponsor, Senator Zeiger: Establishing a safe station pilot program. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

Referred to Committee on Ways & Means.

February 7, 2020

SJM 8006 Prime Sponsor, Senator Hasegawa: Requesting that Congress establish more checks and balances to reduce the possibility of nuclear war. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Joint Memorial No. 8006 be substituted therefor, and the substitute joint memorial do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Assistant Ranking Member Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

February 7, 2020

SJM 8017 Prime Sponsor, Senator Hasegawa: Addressing compacts of free association. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Joint Memorial No. 8017 be substituted therefor, and the substitute joint memorial do pass. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

February 7, 2020

SJM 8019 Prime Sponsor, Senator Liias: Requesting Congress to address volcano early warning and monitoring. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Joint Memorial No. 8019 be substituted therefor, and the substitute joint memorial do pass. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 5908 and Senate Bill No. 6339 which had been designated to the Committee on Rules and were referred to the Committee on Ways & Means.

MOTION

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

MESSAGE FROM THE HOUSE

February 7, 2020

MR. PRESIDENT:
The Speaker has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6492
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

At 3:53 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Monday, February 10, 2020.

STEVE CONWAY, Vice President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

TWENTY NINTH DAY

NOON SESSION

Senate Chamber, Olympia
Monday, February 10, 2020

The Senate was called to order at 12:02 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

MOTION

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

REPORTS OF STANDING COMMITTEES

February 10, 2020

SB 5908 Prime Sponsor, Senator Das: Providing training for equity and cultural competency in the public school system. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6181 Prime Sponsor, Senator Padden: Concerning compensation for parents of minor victims of crime. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6181 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6646 Prime Sponsor, Senator Zeiger: Creating a pilot program for gender-responsive and trauma-informed outpatient substance abuse treatment. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member,

Capital; Becker; Billig; Carlyle; Conway; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

MOTION

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

MOTION

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

MESSAGE FROM OTHER STATE OFFICERS

The following reports were submitted to and received by the office of the Secretary of the Senate:

Agriculture, Department of – “*Pesticide Management Division 2019 Annual Report*” pursuant to 15.58.420 RCW;

Auto Theft Prevention Authority, Washington – “*Auto Theft Prevention Authority 2019 Annual Report*” in accordance with Engrossed Third Substitute House Bill No. 1001;

Children, Youth, and Families, Department of – “*Behavioral Rehabilitation Services July - December 2019 Report*” in accordance with Engrossed Substitute House Bill No. 1109;

Commerce, Department of – “*Regulatory Streamlining - Regulatory Roadmap, January 2020 Update*” pursuant to 43.330.440 RCW; “*State Surplus Property Program, 2019 Annual Report of Inventory of State-Owned Real Properties and Recommendations*” pursuant to 43.63A.510 RCW; “*Homelessness in Washington State, 2019 Annual Report to the Legislature*” pursuant to 43.185C RCW; “*Defense Community Compatibility Account, 2020 Legislative Report*” in accordance with Substitute Senate Bill No. 5748; “*Improving Stability for Youth Exiting Systems of Care*” pursuant to 43.330.720 RCW;

Education, Washington State Board of – “*Graduation Pathway Options, Interim Report*” in accordance with Engrossed Second Substitute House Bill No. 1599;

Health Care Authority – “*Treatment of Adults on 90 or 180 Day Civil Commitment Orders*” in accordance with Second Substitute House Bill No. 1394;

Health, Department of – “*Evaluating Potential Transfer of Peer Counselor Program*” in accordance with Second Substitute House Bill No. 1907; “*Bone Marrow Donation Registry Participation*” pursuant to 46.20.1132 RCW; “*Community Health Improvement in Rural Washington: Learning from Global Health Strategies and Programs*” in accordance with Engrossed Substitute Senate Bill No. 6032;

Military Department – “*Enhanced 911 Advisory Committee 2019 Annual Legislative Update*” pursuant to 38.52.532 RCW;

Office of Equity Task Force – “*Office of Equity Task Force Preliminary Report*” in accordance with Engrossed Substitute House Bill No. 1109;

Pacific Northwest University of Health Sciences – “*Student Loan Information Compliance Report*” in accordance with Substitute Senate Bill No. 5022;

Public Instruction, Office of the Superintendent of – “*Barriers to Recruitment of Military Personnel and Spouses to Serve in K-12 Positions*” in accordance with House Bill No. 1139;

Social & Health Services, Department of – “*Staffing Levels Compared to Allotments October - December 2019*” in accordance with Engrossed Substitute House Bill No. 1109; “*Naturalization Services -- 2019 Report*” in accordance with Engrossed Substitute House Bill No. 1109; “*State Hospital Clinical Staffing Model and Acuity Tool -- Implementation Program*” in accordance with Engrossed Substitute House Bill No. 1109;

Transportation, Department of – “*Diesel Fuel Price Hedging FY 2019 Report*” pursuant to 47.60.830 RCW.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

February 4, 2020

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.

ANN M. ROBBINS, appointed February 4, 2020, for the term ending June 30, 2022, as Member of the Professional Educator Standards Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education as Senate Gubernatorial Appointment No. 9390.

MOTION

On motion of Senator Liias, the appointee listed on the Gubernatorial Appointment report was referred to the committee as designated.

MOTION

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

INTRODUCTION AND FIRST READING

SB 6682 by Senator Fortunato

AN ACT Relating to a surcharge for electricity used to charge vehicles; and adding a new section to chapter 19.29A RCW.

Referred to Committee on Environment, Energy & Technology.

SB 6683 by Senator Becker

AN ACT Relating to limiting the number of bills a legislator may sponsor; and adding a new section to chapter 44.04 RCW.

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

SB 6684 by Senators Das, Saldaña, Nguyen, Hobbs and Lovelett

AN ACT Relating to electric vehicle readiness; and adding a new section to chapter 19.27 RCW.

Referred to Committee on Environment, Energy & Technology.

SB 6685 by Senators Das, Kuderer, Darneille, Saldaña, Wilson, C., Lovelett, Nguyen and Billig

AN ACT Relating to requiring health insurance coverage for an annual mental wellness examination performed by a qualified mental health care provider; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SB 6686 by Senators Das, Wellman, Kuderer, Carlyle, Hunt, Cleveland, Frockt, Lovelett, Wilson, C. and Saldaña

AN ACT Relating to prohibiting the possession of weapons on state capitol grounds; and reenacting and amending RCW 9.41.300.

Referred to Committee on Law & Justice.

MOTION

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

MOTION

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

MOTION

Senator Hobbs moved adoption of the following resolution:

SENATE RESOLUTION
8675

By Senator Hobbs

WHEREAS, Keith Cotton first began his long and valued service to the state in 2001 as an intern in the Washington State Department of Transportation in the planning office where he helped launch the first editions of the Gray Notebook, the national standard for performance reporting by a state agency; and

WHEREAS, Keith met his wife Megan while working in the Environmental Services Office in 2003, where he collaborated with others to assist in mitigating the environmental impacts associated with improving and preserving the state highway system; and

WHEREAS, Keith brought his talents (and his houseplants) to the Public Transportation Division in 2005, which would become his WSDOT home for the next fourteen years, the Public Transportation Division; and

WHEREAS, Keith's vision, diligence, and sense of innovation helped WSDOT develop and implement several projects while managing the state Commute Trip Reduction Program, a program that kept over 34,500 cars off of Puget Sound area streets and highways to help reduce congestion between 2017 and 2018 and saves more than four million gallons of fuel each year; and

WHEREAS, Keith's consistency of character, sense of humor, humility, and empathy for others made him an employee that his bosses, coworkers, and direct reports would run through walls for if asked to; and

WHEREAS, Keith established a sense of community through organizing events and outings within the public transportation division at WSDOT and beyond through his athleticism and

TWENTY NINTH DAY, FEBRUARY 10, 2020

2020 REGULAR SESSION

leadership in putting together some of the most dominant softball and dodge ball teams the department has ever fielded; and

WHEREAS, Keith learned that he had a brain tumor the size of a lemon in January of 2013 and responded by fighting his cancer with determination and great ferocity to realize dreams and goals he had made with Megan; and

WHEREAS, Keith and Megan had a beautiful daughter named Grace in 2015 and a handsome son named William in 2018; and

WHEREAS, Keith was a lifelong fan of his beloved Chicago Cubs and was able to attend the 2016 World Series in person and was able to fly his "W" flag with pride after the Cubs won their first World Series since 1908; and

WHEREAS, Keith raised thousands of dollars for brain cancer research and clinical trials through his participation in the Seattle Brain Cancer Walk with friends, family, and fellow employees; and

WHEREAS, Keith Carroll Cotton passed away on November 9, 2019, and left behind a legacy as a fighter, a devoted father and husband, an amazing friend, and a standout employee for the Washington State Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the state of Washington recognize and laud the important contributions of former WSDOT employee Keith Cotton, and offer our most heartfelt condolences to Keith's family and many friends.

Senators Hobbs, Liias and Short spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8675.

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

REMARKS BY THE PRESIDENT

President Habib: "The President would like to thank Senator Hobbs for bringing this resolution and give the entire Senate's condolences to the family and friends and co-workers of Mr. Keith Cotton, whom we mourn with you. And whose contributions that have been stated here in Senate Resolution No. 8675, in the words of the Transportation Chairman and the other Senators. So, please know that we are all in the Senate mourning his loss. and stand with you in this time of grieving, and in time healing."

MOTION

At 12:21 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Tuesday, February 11, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

THIRTIETH DAY

NOON SESSION

Senate Chamber, Olympia
Tuesday, February 11, 2020

The Senate was called to order at 12:01 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

MOTION

Pursuant to Rule 46, on motion of Senator Liias 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 Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

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

REPORTS OF STANDING COMMITTEES

February 10, 2020

SSB 5164 Prime Sponsor, Committee on Ways & Means: Providing public assistance to certain victims of human trafficking. Reported by Committee on Ways & Means

MAJORITY recommendation: That Third Substitute Senate Bill No. 5164 be substituted therefor, and the third substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 5400 Prime Sponsor, Senator Conway: Providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5400 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 5533 Prime Sponsor, Senator Braun: Concerning certificates of parental improvement. Reported by Committee on Ways & Means

MAJORITY recommendation: That Fourth Substitute Senate Bill No. 5533 be substituted therefor, and the fourth substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Van De Wege; Warnick and Wilson, L.

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

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

Referred to Committee on Rules for second reading.

February 10, 2020

SB 5601 Prime Sponsor, Senator Rolfes: Concerning health care benefit management. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5601 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital and Schoesler.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 5607 Prime Sponsor, Senator Wellman: Concerning dual language learning in early learning and K-12 education. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5607 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker and Wagoner.

THIRTIETH DAY, FEBRUARY 11, 2020

2020 REGULAR SESSION

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Rivers; Schoesler; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 5789 Prime Sponsor, Senator Liias: Establishing additional uses for automated traffic safety cameras for traffic congestion reduction and increased safety. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5789 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; Cleveland; Das; Lovelett; Nguyen; Randall; Takko and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; O'Ban; Padden and Zeiger.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6074 Prime Sponsor, Senator Dhingra: Reauthorizing and expanding the financial fraud and identity theft crimes investigation and prosecution program. Reported by Committee on Ways & Means

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

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

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6084 Prime Sponsor, Senator Takko: Concerning roundabouts. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6084 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6117 Prime Sponsor, Senator Wellman: Concerning appropriations for special education programs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6117 be substituted therefor, and the second

substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6156 Prime Sponsor, Senator Takko: Modifying the requirements for collector vehicle registrations. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6156 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Lovelett; Nguyen; Randall; Takko and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban; Padden and Zeiger.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6189 Prime Sponsor, Senator Wellman: Clarifying eligibility for school employees' benefits board coverage. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6189 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Billig; Carlyle; Conway; Darneille; Dhingra; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Rivers; Schoesler; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa and Wagoner.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6212 Prime Sponsor, Senator Das: Concerning the authority of counties, cities, and towns to exceed statutory property tax limitations for the purpose of financing affordable housing for very low-income households and low-income households. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa and Schoesler.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6218 Prime Sponsor, Senator Schoesler: Modifying the definition of salary for the Washington state patrol retirement system. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6268 Prime Sponsor, Senator Rolfes: Preventing abusive litigation between intimate partners. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 6, 2020

SB 6288 Prime Sponsor, Senator Dhingra: Creating the Washington office of firearm violence prevention. Reported by Committee on Ways & Means

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

MINORITY recommendation: Do not pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member and Rivers.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6314 Prime Sponsor, Senator Holy: Protecting taxpayers from home foreclosure. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6314 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member,

Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

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

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6319 Prime Sponsor, Senator Takko: Concerning administration of the senior property tax exemption program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6319 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6342 Prime Sponsor, Senator Dhingra: Concerning chemical contaminants in drinking water. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6342 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

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

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

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6417 Prime Sponsor, Senator Holy: Allowing retirees to change their survivor option election after retirement. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 10, 2020

THIRTIETH DAY, FEBRUARY 11, 2020

2020 REGULAR SESSION

SB 6429 Prime Sponsor, Senator Brown: Providing a designation on a driver's license or identicard that a person has a developmental disability. Reported by Committee on Transportation

Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MAJORITY recommendation: That Substitute Senate Bill No. 6429 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6466 Prime Sponsor, Senator Randall: Concerning traffic control signals. Reported by Committee on Transportation

SB 6560 Prime Sponsor, Senator Wilson, C.: Studying the feasibility of postsecondary student housing within retirement facilities. 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 Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

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

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6475 Prime Sponsor, Senator Hasegawa: Assisting homeless individuals with obtaining identification. Reported by Committee on Ways & Means

February 10, 2020

SB 6565 Prime Sponsor, Senator Randall: Establishing permissible methods of parking a motorcycle. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6475 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6574 Prime Sponsor, Senator Takko: Clarifying the respective administrative powers, duties, and responsibilities of the growth management hearings board and the environmental land use and hearings office. Reported by Committee on Ways & Means

February 10, 2020

SB 6493 Prime Sponsor, Senator Liias: Concerning the Cooper Jones active transportation safety council. Reported by Committee on Transportation

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

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

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6553 Prime Sponsor, Senator Frockt: Facilitating treatment for gun violence victims. Reported by Committee on Ways & Means

February 10, 2020

SB 6580 Prime Sponsor, Senator Mullet: Concerning organ transport vehicles. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6553 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet;

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6586 Prime Sponsor, Senator Saldaña: Implementing a per mile charge on electric and hybrid vehicles. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6586 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; Cleveland; Das; Lovelett; Nguyen; Randall and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; O'Ban; Padden; Takko and Zeiger.

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6606 Prime Sponsor, Senator Liias: Concerning regional transit authorities. 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 Hobbs, Chair; Cleveland; Das; Lovelett; Nguyen; Randall; Takko and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; O'Ban; Padden and Zeiger.

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

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6632 Prime Sponsor, Senator Takko: Providing additional funding for the business licensing service program administered by the department of revenue. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6632 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall and Schoesler.

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

Referred to Committee on Rules for second reading.

February 10, 2020

SB 6676 Prime Sponsor, Senator Frockt: Concerning reimbursement for primary care services for medicaid beneficiaries. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6676 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

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

Referred to Committee on Rules for second reading.

February 10, 2020

SJR 8211 Prime Sponsor, Senator Braun: Proposing an amendment to the Constitution concerning revenues from certain premiums, contributions, and other charges imposed on wages. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Joint Resolution No. 8211 be substituted therefor, and the substitute joint resolution do pass. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Darneille; Dhingra; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa; Hunt and Van De Wege.

Referred to Committee on Rules for second reading.

February 10, 2020

SGA 9304 SHIV BATRA, reappointed on July 1, 2019, for the term ending June 30, 2025, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 10, 2020

SGA 9306 ROY D. JENNINGS, reappointed on July 1, 2019, for the term ending June 30, 2025, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hobbs, Chair; Saldaña, Vice

THIRTIETH DAY, FEBRUARY 11, 2020

2020 REGULAR SESSION

Chair; King, Ranking Member; Cleveland; Das; Lovelett; Nguyen; O'Ban; Randall; Takko; Wilson, C. and Zeiger.

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

Referred to Committee on Rules for second reading.

February 10, 2020

SGA 9364 JASON R. HAMILTON, appointed on January 3, 2020, for the term ending December 26, 2021, as Member of the Board of Pilotage Commissioners. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland; Das; Lovelett; Nguyen; O'Ban; Padden; Takko and Zeiger.

Referred to Committee on Rules for second reading.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

SB 6687 by Senator Conway

AN ACT Relating to granting interest arbitration to employees of the state parks and recreation commission and the liquor and cannabis board; and amending RCW 41.80.200.

Referred to Committee on Labor & Commerce.

MOTION

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

MOTION

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

MOTION

Senator Short moved adoption of the following resolution:

SENATE RESOLUTION
8674

By Senators Short, Schoesler, Holy, Warnick, Walsh, Honeyford, Billig, and Brown

WHEREAS, George R. Nethercutt, Jr. was born and raised in Spokane where he attended North Central High School. He earned his bachelor's degree in English from Washington State University and his Law Degree from Gonzaga University; and

WHEREAS, George and his wife, Mary Beth, welcomed two children, Meredith and Elliott, into their family; and

WHEREAS, Faith, family, community, education, leadership, and mentorship continue to be at the forefront of his life and legacy; and

WHEREAS, During George's eighteen years as a lawyer, he provided legal support for over two thousand adoptions, helping to transform individuals into loving parents to bring joy and security to adoptive children and families; and

WHEREAS, Soon after his daughter was diagnosed with diabetes, he became President of the Spokane Chapter of the Juvenile Diabetes Foundation, an organization tasked with helping to fund research, expanding access to treatment, and bringing awareness to juvenile diabetes; and

WHEREAS, Witnessing the significant need that existed in Spokane for a respite care facility to protect children from abuse and provide support to families, George became a founding member of the Vanessa Behan Crisis Nursery; since its inception in 1987, the nursery has impacted the lives of 103,000 children and their families; and

WHEREAS, In 1994, George entered a three-way primary to become the Republican candidate for the 5th Congressional District. He became only the second person in United States history to defeat a sitting Speaker of the United States House of Representatives. George went on to serve the 5th Congressional District from 1995-2004; and

WHEREAS, During his tenure in Congress, George was named by the Speaker of the House of Representatives as first cochairman of the Congressional Diabetes Caucus; and

WHEREAS, Further, he served on the prestigious Appropriations committee, Science Committee, and Energy and Space & Aeronautics subcommittees. He increased open trade with foreign countries, appropriations to bring high-technology capability to the United States Defense Department, worked side-by-side with farmers to bring independence and freedom back into farming, and developed cutting edge collaborative pilot projects between the timber industry and the Forest Service that improved forest health, wildlife habitat, and the local economy; and

WHEREAS, In 1996, George formed a foundation whose mission was to foster understanding of government and public policies in young adults; offering unprecedented opportunities to engage with elected officials, issue advocates, government leaders, and the national press; and

WHEREAS, After his career in Congress, he continued his mission of educating younger generations on civics, active citizenship and service, the importance of understanding how government works, and why our country's history is so important to its future; and

WHEREAS, George also authored the book entitled "In Tune with America – Our History in Song" that detailed significant events, trials and attributions, outstanding leaders, and heroic acts;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize George R. Nethercutt, Jr. for his service to the 5th Congressional District in Congress, his dedication to community, to educating young adults on the importance of service and civic engagement, and his mentorship to so many who learned the value of humility, patience, listening, compassion, and service.

Senator Short spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8674.

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

MOTION

At 12:05 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of reading in standing committee reports later in the day.

The Senate was called to order at 7:00 p.m. by acting President Pro Tempore, Senator Van De Wege presiding.

MOTION

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

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

February 11, 2020

SB 5144 Prime Sponsor, Senator Dhingra: Implementing child support pass-through payments. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 5481 Prime Sponsor, Senator Warnick: Establishing a coalition of commissioned officers, detectives, and sergeants of the department of fish and wildlife for the purposes of collective bargaining, including interest arbitration. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5481 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member and Becker.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 5494 Prime Sponsor, Senator Zeiger: Concerning the baby court initiative. Reported by Committee on Ways & Means

MAJORITY recommendation: That Third Substitute Senate Bill No. 5494 be substituted therefor, and the third substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

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

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

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6050 Prime Sponsor, Senator Cleveland: Concerning insurance guaranty fund. Reported by Committee on Ways & Means

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

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker; Rivers and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Muzzall; Schoesler; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6064 Prime Sponsor, Senator Wagoner: Requiring full body scanners at each department of corrections institution. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6064 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

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

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6079 Prime Sponsor, Senator Mullet: Clarifying the scope of taxation on land development or management services. Reported by Committee on Ways & Means

THIRTIETH DAY, FEBRUARY 11, 2020

2020 REGULAR SESSION

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

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

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

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6088 Prime Sponsor, Senator Keiser: Establishing a prescription drug affordability board. Reported by Committee on Ways & Means

February 11, 2020

SB 6134 Prime Sponsor, Senator Hunt: Concerning state reimbursement of election costs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6088 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MAJORITY recommendation: That Substitute Senate Bill No. 6134 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Rivers; Schoesler; Wagoner; Warnick and Wilson, L.

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

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6112 Prime Sponsor, Senator Wilson, C.: Concerning youth solitary confinement. Reported by Committee on Ways & Means

February 11, 2020

SB 6141 Prime Sponsor, Senator Randall: Expanding access to higher education. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Van De Wege and Wagoner.

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker; Schoesler and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker; Rivers; Schoesler and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating and Warnick.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 11, 2020

February 11, 2020

SB 6128 Prime Sponsor, Senator Randall: Extending coverage during the postpartum period. Reported by Committee on Ways & Means

SB 6142 Prime Sponsor, Senator Liias: Creating the Washington common application. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6128 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6179 Prime Sponsor, Senator Takko: Concerning the Washington search and rescue grant program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6205 Prime Sponsor, Senator Cleveland: Preventing harassment, abuse, and discrimination experienced by long-term care workers. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6205 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Muzzall; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Becker.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6207 Prime Sponsor, Senator Saldaña: Concerning the scope of collective bargaining for language access providers. Reported by Committee on Ways & Means

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

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Rivers; Schoesler and Warnick.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6211 Prime Sponsor, Senator Dhingra: Concerning drug offender sentencing. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6211 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6213 Prime Sponsor, Senator Das: Concerning certain expanded polystyrene products. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6213 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Becker; Hunt; Muzzall; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Rivers and Schoesler.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6224 Prime Sponsor, Senator Lovelett: Concerning collective bargaining for administrative law judges. Reported by Committee on Ways & Means

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker; Muzzall and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Rivers; Schoesler; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6255 Prime Sponsor, Senator Wilson, C.: Supporting access to child care for parents who are attending high school or working toward completion of a high school equivalency certificate. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6255 be substituted therefor, and the second

THIRTIETH DAY, FEBRUARY 11, 2020

2020 REGULAR SESSION

substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

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

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

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6264 Prime Sponsor, Senator McCoy: Concerning school district consultation with local tribes. Reported by Committee on Ways & Means

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

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

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker and Wagoner.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6267 Prime Sponsor, Senator Takko: Modifying the long-term services and supports trust program by clarifying the ability for individuals with existing long-term care insurance to opt-out of the premium assessment and making technical corrections. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

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

MINORITY recommendation: Do not pass. Signed by Senator Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6275 Prime Sponsor, Senator Cleveland: Increasing patient access rights to timely and appropriate postacute care. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6275 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6309 Prime Sponsor, Senator Lovett: Expanding access to nutritious food. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6309 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6311 Prime Sponsor, Senator Zeiger: Concerning persons with substance use disorders. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6311 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6346 Prime Sponsor, Senator Takko: Establishing tribal representation on the emergency management council. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6351 Prime Sponsor, Senator Nguyen: Concerning working connections child care eligibility. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6351 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Van De Wege and Wagoner.

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

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6354 Prime Sponsor, Senator King: Providing enhanced payment to low volume, small rural hospitals. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

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

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6355 Prime Sponsor, Senator Van De Wege: Recognizing the contributions of the state's forest products sector as part of the state's global climate response. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

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

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6382 Prime Sponsor, Senator Ericksen: Concerning state-inspected commercial custom meat facilities. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6382 be substituted therefor, and the second

substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Carlyle; Conway; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Billig and Darneille.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6385 Prime Sponsor, Senator Zeiger: Providing for jobs training for homeless individuals. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6385 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Carlyle; Conway; Keiser; Muzzall; Pedersen; Rivers; Schoesler; Wagoner; Warnick and Wilson, L..

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Billig; Hasegawa; Hunt and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Darneille and Dhingra.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6400 Prime Sponsor, Senator Randall: Mitigating inequity in the health insurance market caused by health plans that exclude certain mandated benefits. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6400 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Rivers; Schoesler; Wagoner; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6404 Prime Sponsor, Senator Frockt: Adopting prior authorization and appropriate use criteria in patient care. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown,

THIRTIETH DAY, FEBRUARY 11, 2020

2020 REGULAR SESSION

Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L..

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

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6405 Prime Sponsor, Senator Stanford: Supporting student success at community and technical colleges by increasing full-time faculty and stabilizing the use of part-time faculty. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6405 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Rivers; Wagoner and Wilson, L..

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Schoesler and Warnick.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6411 Prime Sponsor, Senator Das: Expanding the property tax exemption for new and rehabilitated multiple-unit dwellings in urban growth areas. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6411 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Billig; Carlyle; Dhingra; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Van De Wege and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Becker; Conway; Darneille; Warnick and Wilson, L..

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Hasegawa and Schoesler.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6419 Prime Sponsor, Senator Keiser: Concerning implementation of the recommendations of the December 2019 report from the William D. Ruckelshaus center regarding

residential habilitation center clients. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6422 Prime Sponsor, Senator Darneille: Establishing the family connections program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

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

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6425 Prime Sponsor, Senator Stanford: Establishing the American Indian cultural study grant. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Billig; Carlyle; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker and Wilson, L..

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6430 Prime Sponsor, Senator Brown: Establishing a statewide industrial waste coordination program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra;

Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6476 Prime Sponsor, Senator Stanford: Increasing and expanding access of inmates and immediate family members of inmates to services provided within correctional facilities. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L..

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Schoesler.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6478 Prime Sponsor, Senator Nguyen: Revising economic assistance programs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6478 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Schoesler and Wilson, L..

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6488 Prime Sponsor, Senator Rolfes: Concerning aerial herbicides in forestlands. Reported by Committee on Ways & Means

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

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Schoesler; Wagoner; Warnick and Wilson, L..

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

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6495 Prime Sponsor, Senator Walsh: Regarding essential needs and housing support eligibility. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6495 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

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

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6511 Prime Sponsor, Senator Carlyle: Increasing equitable educational outcomes for foster care and homeless children and youth from prekindergarten to postsecondary education. Reported by Committee on Ways & Means

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

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

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6515 Prime Sponsor, Senator Van De Wege: Adjusting the medicaid payment methodology for skilled nursing facilities. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6515 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

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

MINORITY recommendation: Do not pass. Signed by Senator Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 11, 2020

THIRTIETH DAY, FEBRUARY 11, 2020

2020 REGULAR SESSION

SB 6518 Prime Sponsor, Senator Rolfes: Reducing prenatal exposure and harm to children by limiting environmental exposure to certain pesticides. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6518 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

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

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Schoesler; Wagoner; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6521 Prime Sponsor, Senator Wellman: Creating an innovative learning pilot program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6528 Prime Sponsor, Senator Lovelett: Concerning the prevention of derelict vessels. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6528 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen; Van De Wege; Wagoner; Warnick and Wilson, L..

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

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

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6534 Prime Sponsor, Senator Cleveland: Creating an ambulance transport quality assurance fee. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: Do not pass. Signed by Senator Mullet, Capital Budget Cabinet.

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

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6540 Prime Sponsor, Senator Wilson, C.: Concerning working connections child care payment authorizations. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6540 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen and Van De Wege.

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

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

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6545 Prime Sponsor, Senator Zeiger: Concerning the voluntary stewardship program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6551 Prime Sponsor, Senator Stanford: Integrating international medical graduates into Washington's health care delivery system. Reported by Committee on Ways & Means

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

MINORITY recommendation: Do not pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Becker; Schoesler and Wagoner.

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

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6556 Prime Sponsor, Senator Cleveland: Expanding reporting options for mandated reporters of child abuse and neglect. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6561 Prime Sponsor, Senator Liias: Creating the undocumented student support loan program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6561 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Becker; Muzzall; Schoesler; Warnick and Wilson, L..

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Wagoner.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6570 Prime Sponsor, Senator King: Concerning law enforcement officer mental health and wellness. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital;

Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6587 Prime Sponsor, Senator Zeiger: Exempting statewide fairs from state property taxes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Dhingra; Hunt; Muzzall; Rivers; Schoesler; Wagoner; Warnick and Wilson, L..

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Carlyle; Conway; Darneille; Liias and Van De Wege.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6591 Prime Sponsor, Senator Dhingra: Establishing a work group to address mental health advance directives. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6591 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6601 Prime Sponsor, Senator Rolfes: Authorizing the governor to enter into compacts with Indian tribes addressing certain state retail sales tax, certain state use tax, and certain state business and occupation tax revenues, as specified in a memorandum of understanding entered into by the state, Tulalip tribes, and Snohomish county, in January 2020, and including other terms necessary for the department of revenue to administer any such compact. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6601 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking

THIRTIETH DAY, FEBRUARY 11, 2020

2020 REGULAR SESSION

Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Schoesler; Wagoner; Warnick and Wilson, L..

February 11, 2020

Referred to Committee on Rules for second reading.

SB 6663 Prime Sponsor, Senator Brown: Studying dual diagnoses of eating disorder and diabetes mellitus type 1. Reported by Committee on Ways & Means

February 11, 2020

SB 6626 Prime Sponsor, Senator Conway: Creating the position of military spouse liaison. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6663 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 11, 2020

SB 6668 Prime Sponsor, Senator Stanford: Increasing services and activities fee transparency at colleges and universities. Reported by Committee on Ways & Means

February 11, 2020

SB 6638 Prime Sponsor, Senator Wilson, C.: Providing reentry services. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

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

Referred to Committee on Rules for second reading.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford, Assistant Ranking Member, Capital.

February 11, 2020

SB 6656 Prime Sponsor, Senator Hasegawa: Concerning engagement with key international markets. Reported by Committee on Ways & Means

Referred to Committee on Rules for second reading.

MOTION

MAJORITY recommendation: That Second Substitute Senate Bill No. 6656 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen; Rivers; Schoesler; Van De Wege and Wilson, L..

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

MOTION

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall and Warnick.

At 7:32 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, February 12, 2020.

CYRUS HABIB, President of the Senate

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

BRAD HENDRICKSON, Secretary of the Senate

Referred to Committee on Rules for second reading.

THIRTY FIRST DAY

MORNING SESSION

Senate Chamber, Olympia
 Wednesday, February 12, 2020

The Senate was called to order at 10:03 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present with the exceptions of Senators Braun and Fortunato.

The Sergeant at Arms Color Guard consisting of Pages Mr. Isaac Yi and Miss Sarah Mott, presented the Colors. Page Mr. Alec Benson led the Senate in the Pledge of Allegiance. The prayer was offered by Rabbi Seth Goldstein of Temple Beth Hatfiloh, Olympia.

MOTION

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

MOTION

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

MOTION

Senator Wilson, C. moved adoption of the following resolution:

SENATE RESOLUTION
 8677

By Senators Wilson, C., Kuderer, Wellman, Wagoner, Brown, Hasegawa, and Conway

WHEREAS, This month marks the 150th anniversary of the ratification of the 15th Amendment to the United States Constitution; and

WHEREAS, The 15th Amendment granted Black men the right to vote by decreeing that "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude."; and

WHEREAS, Even though additional laws and enforcement were needed over the next century to more effectively implement and enforce the 15th Amendment, this fundamental principle set the stage for all voting rights that followed; and

WHEREAS, The 15th Amendment's landmark language introduced the absolute and unwavering principle that voting is an inalienable right of citizenship and not a benefit limited to the privileged; and

WHEREAS, This bedrock document not only addressed the existential injustice of the day but laid the foundation for our understanding and expansion of voting rights from that day forward; and

WHEREAS, The 15th Amendment's core concept paved the way for the 19th Amendment, establishing the rights of women to vote, and the Snyder Act, establishing the rights of all Native Americans to vote, and continues to influence and inform our expansion of voting rights; and

WHEREAS, The 15th Amendment has transformed and enriched countless lives and generations, and its foundational principle continues to empower and assert the rights of new generations today and into the future; and

WHEREAS, We benefit today and tomorrow by making sure to remember and honor the historic accomplishments of our predecessors;

NOW, THEREFORE, BE IT RESOLVED, That the Senate acknowledge and reaffirm its respect and support for the 15th Amendment and the precious rights it established, for now and forever.

Senators Wilson, C., O'Ban 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. 8677.

The motion by Senator Wilson, C. carried and the resolution was adopted by voice vote.

MOTION

At 10:20 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

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

Senator Short announced a meeting of the Republican Caucus immediately upon going at ease.

AFTERNOON SESSION

The Senate was called to order at 12:45 p.m. by President Habib.

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Van De Wege moved that J. Vander Stoep, Senate Gubernatorial Appointment No. 9075, be confirmed as a member of the Chehalis Board.

Senators Van De Wege, Honeyford and Padden spoke in favor of passage of the motion.

APPOINTMENT OF J. VANDER STOEP

MOTION

On motion of Senator Rivers, Senators Braun, Fortunato and Walsh were excused.

The President declared the question before the Senate to be the confirmation of J. Vander Stoep, Senate Gubernatorial Appointment No. 9075, as a member of the Chehalis Board.

THIRTY FIRST DAY, FEBRUARY 12, 2020

2020 REGULAR SESSION

The Secretary called the roll on the confirmation of J. Vander Stoep, Senate Gubernatorial Appointment No. 9075, as a member of the Chehalis Board and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 1; Excused, 3.

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

Absent: Senator O'Ban

Excused: Senators Braun, Fortunato and Walsh

J. Vander Stoep, Senate Gubernatorial Appointment No. 9075, having received the constitutional majority was declared confirmed as a member of the Chehalis Board.

MOTION

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

SECOND READING

SENATE BILL NO. 5834, by Senators Hunt, Wellman, Randall, Pedersen, Wilson, C., Salomon, Frockt, Hasegawa, Kuderer, Nguyen and Saldaña

Concerning the immigration status of students.

The measure was read the second time.

MOTION

Senator Hunt moved that the following floor amendment no. 961 by Senator Hunt be adopted:

On page 2, line 34, after "the" strike "2019-20" and insert "2020-21"

Senator Hunt spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 961 by Senator Hunt on page 2, line 34 to Senate Bill No. 5834.

The motion by Senator Hunt carried and floor amendment no. 961 was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed Senate Bill No. 5834 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Wellman spoke in favor of passage of the bill.

Senator Hawkins spoke against passage of the bill.

MOTION

On motion of Senator Rivers, Senator O'Ban was excused.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5834.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5834 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 17; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Warnick, Wilson, L. and Zeiger

Excused: Senators Braun, Fortunato and Walsh

ENGROSSED SENATE BILL NO. 5834, having received the 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. 6066, by Senators Hasegawa, Kuderer, Nguyen, Stanford, Saldaña, and Wilson, C.

Expanding ethnic studies materials and resources for public school students in grades kindergarten through six.

The measure was read the second time.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Senate Bill No. 6066 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Hawkins spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6066.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6066 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 10; Absent, 0; Excused, 3.

Voting yea: Senators Becker, Billig, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Stanford, Takko, Van De Wege, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, Padden, Short, Wagoner and Warnick

Excused: Senators Braun, Fortunato and Walsh

SENATE BILL NO. 6066, having received the 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. 6132, by Senators Wellman, Billig, Hunt, Lovelett, Pedersen, Randall, Rolfes, Salomon, Van De Wege, and Wilson, C.

Allowing the learning assistance program to support school-wide behavioral health system of supports and interventions.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Senate Bill No. 6132 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wellman spoke in favor of passage of the bill.

Senator Hawkins spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6132.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6132 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 18; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson, L. and Zeiger

Excused: Senators Braun, Fortunato and Walsh

SENATE BILL NO. 6132, having received the 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. 6262, by Senators McCoy, Wellman, Kuderer, Hasegawa, Lovelett, Stanford, Wilson, C., Conway, Das, Nguyen, Van De Wege, Darneille and Hunt

Teaching Washington's tribal history, culture, and government.

MOTIONS

On motion of Senator McCoy, Substitute Senate Bill No. 6262 was substituted for Senate Bill No. 6262 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator McCoy, the rules were suspended, Substitute Senate Bill No. 6262 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.

Senators Hawkins and Brown spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6262.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6262 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 13; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Stanford, Takko, Van De Wege, Wellman, Wilson, C. and Zeiger

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

Excused: Senators Braun, Fortunato and Walsh

SUBSTITUTE 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. 6191, by Senators Braun, Darneille, Hasegawa, O'Ban, Rolfes, Short, and Wilson, C.

Assessing the prevalence of adverse childhood experiences in middle and high school students to inform decision making and improve services.

MOTIONS

On motion of Senator Hawkins, Substitute Senate Bill No. 6191 was substituted for Senate Bill No. 6191 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hawkins, the rules were suspended, Substitute Senate Bill No. 6191 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hawkins and Wellman 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. 6191.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6191 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 3; Absent, 0; Excused, 3.

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

Voting nay: Senators Ericksen, Padden and Wagoner

Excused: Senators Braun, Fortunato and Walsh

SUBSTITUTE SENATE BILL NO. 6191, having received the constitutional majority, was declared passed. There being no

THIRTY FIRST DAY, FEBRUARY 12, 2020

2020 REGULAR SESSION

objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6480, by Senators Mullet and Hasegawa

Developing comprehensive school counseling programs.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, Senate Bill No. 6480 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet, Hawkins, Rivers and Wagoner 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. 6480.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6480 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 3; Absent, 0; Excused, 3.

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

Voting nay: Senators Ericksen, McCoy and Padden
Excused: Senators Braun, Fortunato and Walsh

SENATE BILL NO. 6480, having received the 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. 6138, by Senators Hasegawa, Nguyen, and Wilson, C.

Concerning the beginning educator support team program.

The measure was read the second time.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Senate Bill No. 6138 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.

Senators Hawkins and Wagoner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6138.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6138 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 16; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

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

Excused: Senators Braun, Fortunato and Walsh

SENATE BILL NO. 6138, having received the 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, the Senate advanced to the seventh order of business.

THIRD READING

SECOND SUBSTITUTE SENATE BILL NO. 5572, by Senate Committee on Ways & Means (originally sponsored by Honeyford, Takko, Short, Warnick, Schoesler and King)

Authorizing modernization grants for small school districts.

The bill was read on Third Reading.

Senators Honeyford and Wellman 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. 5572.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5572 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 1; Absent, 0; Excused, 3.

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

Voting nay: Senator Ericksen

Excused: Senators Braun, Fortunato and Walsh

SECOND SUBSTITUTE SENATE BILL NO. 5572, having received the 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, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5908, by Senators Das, Randall, Saldaña, Nguyen, Liias, Salomon, Conway, Darneille, Kuderer, and Wilson, C.

Providing training for equity and cultural competency in the public school system.

MOTION

On motion of Senator Das, Substitute Senate Bill No. 5908 was substituted for Senate Bill No. 5908 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Das moved that the following floor amendment no. 962 by Senator Wellman be adopted:

On page 2, beginning on line 27, after "training" strike all material through "dues" on line 28

On page 2, line 31, after "section." insert "The training provided must be funded through the use of the association's dues, from nominal fees charged to participants by the association, or a combination of both."

Senator Das spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 962 by Senator Wellman on page 2, line 27 to Substitute Senate Bill No. 5908.

The motion by Senator Das carried and floor amendment no. 962 was adopted by voice vote.

MOTION

On motion of Senator Das, the rules were suspended, Engrossed Substitute Senate Bill No. 5908 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Das spoke in favor of passage of the bill.

Senator Hawkins 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. 5908.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5908 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 17; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Warnick, Wilson, L. and Zeiger

Excused: Senators Braun, Fortunato and Walsh

ENGROSSED SUBSTITUTE SENATE BILL NO. 5908, having received the 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. 6623, by Senators Darneille, Kuderer, Warnick, Zeiger, Das, Nguyen and Saldaña

Reducing host home funding restrictions.

The measure was read the second time.

MOTION

On motion of Senator Darneille, the rules were suspended, Senate Bill No. 6623 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille, O'Ban, Kuderer, Zeiger 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. 6623.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6623 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Braun, Fortunato and Walsh

SENATE BILL NO. 6623, having received the 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. 6072, by Senators Rolfes, Braun and Becker

Dividing the state wildlife account into the fish, wildlife, and conservation account and the limited fish and wildlife account.

MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 6072 was substituted for Senate Bill No. 6072 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 6072 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rolfes 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. 6072.

ROLL CALL

THIRTY FIRST DAY, FEBRUARY 12, 2020

2020 REGULAR SESSION

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6072 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Braun, Fortunato and Walsh

SUBSTITUTE SENATE BILL NO. 6072, having received the 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. 6045, by Senators Takko, Kuderer, Pedersen, Randall and Rolfes

Concerning vulnerable users of a public way.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, Senate Bill No. 6045 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Takko spoke in favor of passage of the bill.

MOTION

On motion of Senator Rivers, Senator Sheldon was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6045.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6045 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Braun, Fortunato, Sheldon and Walsh

SENATE BILL NO. 6045, having received the 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 Warnick, Saldaña, Lovelett, Stanford, and Wilson, C.

Continuing the work of the Washington food policy forum.

MOTIONS

On motion of Senator Warnick, Substitute Senate Bill No. 6091 was substituted for Senate Bill No. 6091 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Warnick, the rules were suspended, Substitute Senate Bill No. 6091 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 Substitute Senate Bill No. 6091.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6091 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Braun, Fortunato, Sheldon and Walsh

SUBSTITUTE 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.

SECOND READING

SENATE BILL NO. 6101, by Senators Wellman, Conway, Dhingra, Kuderer, Mullet, Carlyle, and Wilson, C.

Concerning statewide implementation of early screening for dyslexia.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Senate Bill No. 6101 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins 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. 6101.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6101 and the bill passed the Senate by the following vote:

Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Braun, Fortunato, Sheldon and Walsh

SENATE BILL NO. 6101, having received the 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. 6208, by Senators Billig, Rivers, Liias, Randall, and Wilson, C.

Increasing mobility through the modification of stop sign requirements for bicyclists.

MOTIONS

On motion of Senator Billig, Substitute Senate Bill No. 6208 was substituted for Senate Bill No. 6208 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Billig, the rules were suspended, Substitute Senate Bill No. 6208 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Billig 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. 6208.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6208 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 1; Absent, 0; Excused, 4.

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

Voting nay: Senator Honeyford

Excused: Senators Braun, Fortunato, Sheldon and Walsh

SUBSTITUTE SENATE BILL NO. 6208, having received the 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. 6392, by Senators Van De Wege, King, Walsh, Warnick, Rolfes, Honeyford, and Wilson, C.

Creating a local wine industry association license.

MOTIONS

On motion of Senator Van De Wege, Substitute Senate Bill No. 6392 was substituted for Senate Bill No. 6392 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Van De Wege, the rules were suspended, Substitute Senate Bill No. 6392 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege 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. 6392.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6392 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Braun, Fortunato, Sheldon and Walsh

SUBSTITUTE SENATE BILL NO. 6392, having received the 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. 6537, by Senators McCoy, Hasegawa, Dhingra, and Wilson, C.

Concerning the membership of the criminal justice training commission.

The measure was read the second time.

MOTION

On motion of Senator McCoy, the rules were suspended, Senate Bill No. 6537 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McCoy 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. 6537.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6537 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

THIRTY FIRST DAY, FEBRUARY 12, 2020

2020 REGULAR SESSION

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

Excused: Senators Braun, Fortunato and Walsh

SENATE BILL NO. 6537, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Becker: "Thank you Mr. President. Well, today is February 12, and I want to take this moment and say, 'Happy Anniversary to my husband.' He is at home and in the last 12 years that I have been here, I have been with him one time on our anniversary. So, every year I stand up and say happy anniversary to my husband and this is year number 47. And so, we dated for three years before that so its kind of an unofficial 50 year and I'm pretty proud of that. And, I just wanted to say publicly to my husband how much I love him, how much I am glad we get to be spending our lives together, and it just my kind of annual thing to do and I just wanted to say. Thank you Mr. President for allowing me to do a point of personal privilege."

President Habib: "Hear, hear, Happy Anniversary."

PERSONAL PRIVILEGE

Senator Das: "I just wanted to let everyone know that you might have received a little white box on your desk. For the ladies, there are beautiful sashes that say 'Votes for Women' which is the historical phrase for the Women's Suffragette Movement. Tomorrow we are recognizing, celebrating the Women's Suffragette Movement with a resolution of the hundredth year, this year. For the men, I have provided or gifted I should say, a beautiful white tie. For those who choose to wear the sash or the tie tomorrow, it is my honor to provide you, or to give you a gift, it was my pleasure. For those women who would like a tie or those men who would like a sash, I have extra so, please let me know. I believe there has been white ties ordered for all of the men at the rostrum as well. Thank you."

SECOND READING

SENATE BILL NO. 6215, by Senator Braun

Establishing a collaborative process to alleviate the burden on local courts to determine indigency through proof of receipt of public assistance.

MOTIONS

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.

On motion of Senator Padden, the rules were suspended, 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 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. 6215.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6215 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Braun, Fortunato and Walsh

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.

SECOND READING

SENATE BILL NO. 6027, by Senators Pedersen, Carlyle, Warnick, Van De Wege, Hunt, Rolfes, Short and Honeyford

Concerning floating residences.

MOTIONS

On motion of Senator Pedersen, Second Substitute Senate Bill No. 6027 was substituted for Senate Bill No. 6027 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pedersen, the rules were suspended, Second Substitute Senate Bill No. 6027 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen, Warnick and King 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. 6027.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6027 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Braun, Fortunato and Walsh

SECOND SUBSTITUTE SENATE BILL NO. 6027, having received the 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. 6048, by Senators Das, Lovelett, Nguyen, Saldaña, Kuderer, and Wilson, C.

Addressing the group-wide supervision of internationally active insurance groups.

MOTIONS

On motion of Senator Das, Substitute Senate Bill No. 6048 was substituted for Senate Bill No. 6048 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Das, the rules were suspended, Substitute Senate Bill No. 6048 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Das 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. 6048.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6048 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Braun, Fortunato and Walsh

SUBSTITUTE SENATE BILL NO. 6048, having received the 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 Cleveland, Dhingra, Keiser, Kuderer, Mullet and Nguyen

Concerning the rape of a child.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 6155 was substituted for Senate Bill No. 6155 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. 6155 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland 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. 6155.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6155 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Braun, Fortunato and Walsh

SUBSTITUTE 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. 6326, by Senator Warnick

Concerning municipal conflicts of interest.

The measure was read the second time.

MOTION

On motion of Senator Warnick, the rules were suspended, Senate Bill No. 6326 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. 6326.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6326 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Braun, Fortunato and Walsh

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

THIRTY FIRST DAY, FEBRUARY 12, 2020

2020 REGULAR SESSION

SENATE BILL NO. 6102, by Senators Wellman, Mullet, Wilson, C. and Sheldon

Adjusting stop signal requirements for school buses.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Senate Bill No. 6102 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman 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. 6102.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6102 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 3; Absent, 0; Excused, 4.

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

Voting nay: Senators Kuderer, Stanford and Van De Wege
Excused: Senators Braun, Fortunato, Muzzall and Walsh

SENATE BILL NO. 6102, having received the 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. 5976, by Senators Rolfes, Kuderer and Walsh

Concerning the access to baby and child dentistry program for children with disabilities.

MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 5976 was substituted for Senate Bill No. 5976 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 5976 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes 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. 5976.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5976 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

SUBSTITUTE SENATE BILL NO. 5976, having received the 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. 6046, by Senator Takko

Concerning special purpose district commissioner compensation.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, Senate Bill No. 6046 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short 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. 6046.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6046 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

SENATE BILL NO. 6046, having received the 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. 6507, by Senators Nguyen, Darneille, and Wilson, C.

Concerning legislative reporting requirements for certain department of children, youth, and families programs.

The measure was read the second time.

MOTION

On motion of Senator Nguyen, the rules were suspended, Senate Bill No. 6507 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nguyen 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. 6507.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6507 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

SENATE BILL NO. 6507, having received the 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 Senators Padden, Wellman, Wagoner, Wilson, C., Hawkins, Billig and Zeiger

Recognizing the experience of existing early learning providers to meet educational requirements.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 6297 was substituted for Senate Bill No. 6297 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. 6297 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Wellman 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. 6297.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6297 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Braun, Fortunato, Muzzall and Walsh

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. 6035, by Senators Keiser, King, Conway and Stanford

Concerning liquor license employees.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 6035 was substituted for Senate Bill No. 6035 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 6035 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser 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. 6035.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6035 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Braun, Fortunato and Walsh

SUBSTITUTE SENATE BILL NO. 6035, having received the 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. 6047, by Senators Hasegawa, Dhingra, Hunt, Keiser, Lovelett, Nguyen, Randall, Holy and Saldaña

Prohibiting retaliation against school district employees that report noncompliance with individualized education programs.

The measure was read the second time.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Senate Bill No. 6047 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

THIRTY FIRST DAY, FEBRUARY 12, 2020

2020 REGULAR SESSION

Senators Hasegawa and Hawkins 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. 6047.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6047 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 1; Absent, 0; Excused, 3.

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

Voting nay: Senator Ericksen

Excused: Senators Braun, Fortunato and Walsh

SENATE BILL NO. 6047, having received the 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. 6403, by Senators Warnick, Van De Wege, Short and Takko

Concerning allowable uses for the multiuse roadway safety account.

The measure was read the second time.

MOTION

On motion of Senator Warnick, the rules were suspended, Senate Bill No. 6403 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. 6403.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6403 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Braun, Fortunato and Walsh

SENATE BILL NO. 6403, having received the 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. 6099, by Senators Hunt, and Wilson, C.

Repealing the education accountability system oversight committee.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Senate Bill No. 6099 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Hawkins 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. 6099.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6099 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Braun, Fortunato and Walsh

SENATE BILL NO. 6099, having received the 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 Wellman, Keiser, Kuderer, Nguyen, and Wilson, C.

Expanding background check requirements for certain educational institutions.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Senate Bill No. 6100 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins 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. 6100.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6100 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Braun, Fortunato and Walsh

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. 6409, by Senator King

Providing an exemption from electrical licensing, certification, and inspection for industrial equipment.

MOTIONS

On motion of Senator King, 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 King, 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 King 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. 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, 0; Absent, 0; Excused, 3.

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

Excused: Senators Braun, Fortunato and Walsh

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.

SECOND READING

SENATE BILL NO. 6120, by Senators Conway and King

Amending types of nonprofit organizations qualified to engage in gambling activities.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 6120 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator 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. 6120.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6120 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Braun, Fortunato and Walsh

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. 6420, by Senators Takko and Short

Concerning underground utilities and safety committee.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, Senate Bill No. 6420 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short 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. 6420.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6420 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Braun, Fortunato and Walsh

THIRTY FIRST DAY, FEBRUARY 12, 2020

2020 REGULAR SESSION

SENATE BILL NO. 6420, having received the 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 3:56 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

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

 EVENING SESSION

The Senate was called to order at 6:09 p.m. by President Habib.

MOTION

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

 THIRD READING
 CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Padden moved that Kimberly Gordon, Senate Gubernatorial Appointment No. 9095, be confirmed as a member of the Sentencing Guidelines Commission.

Senators Padden and Darneille spoke in favor of passage of the motion.

MOTION

On motion of Senator Rivers, Senator Schoesler was excused.

APPOINTMENT OF KIMBERLY GORDON

The President declared the question before the Senate to be the confirmation of Kimberly Gordon, Senate Gubernatorial Appointment No. 9095, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Kimberly Gordon, Senate Gubernatorial Appointment No. 9095, as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 1; Excused, 3.

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

Absent: Senator Ericksen

Excused: Senators Braun, Fortunato and Schoesler

Kimberly Gordon, Senate Gubernatorial Appointment No. 9095, having received the constitutional majority was declared

confirmed as a member of the Sentencing Guidelines Commission.

MOTION

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

SECOND READING

SENATE BILL NO. 6180, by Senators Darneille, Nguyen, Das, and Wilson, C.

Concerning juvenile sex offense registration waivers under the special sexual offender disposition alternative.

The measure was read the second time.

MOTION

Senator Padden moved that the following floor amendment no. 983 by Senator Padden be adopted:

On page 4, beginning on line 11, after "(7)" strike all material through "(c)" on line 25 and insert "(((a)))"

On page 4, line 26, after "alternative," strike all material through "offender,"

On page 4, at the beginning of line 29, strike "(i)" and insert "(a)"

On page 4, at the beginning of line 31, strike "(ii)" and insert "(b)"

On page 4, at the beginning of line 33, strike "(iii)" and insert "(c)"

On page 4, at the beginning of line 35, strike "(iv)" and insert "(d)"

On page 4, beginning on line 38, strike all material through "9A.44.143." on line 40

Senators Padden and Wagoner spoke in favor of adoption of the amendment.

Senators Darneille and Walsh spoke on adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 983 by Senator Padden on page 4, line 11 to Senate Bill No. 6180.

The motion by Senator Padden carried and floor amendment no. 983 was adopted by voice vote.

MOTION

On motion of Senator Darneille, the rules were suspended, Engrossed Senate Bill No. 6180 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

POINT OF INQUIRY

Senator King: "Well, I have a question for either Senator Darneille or Senator O'Ban. When we say 'children,' what age are we talking about? That is what I want to know."

President Habib: "Senator King, whom are you asking the question?"

Senator King: "I'll ask Senator Darneille."

President Habib: "Senator Darneille, do you yield to a question?"

Senator Darneille: "Yes, thank you Mr. President. These are children, I think, between the ages of 12 and 17."

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6180.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6180 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Braun and Fortunato

ENGROSSED 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. 6370, by Senators Nguyen, Padden, Dhingra, Darneille, Stanford, Das, Lovelett, Wilson and C.

Concerning individuals under the department of corrections' jurisdiction.

The measure was read the second time.

MOTION

Senator Padden moved that the following floor amendment no. 982 by Senator Padden be adopted:

On page 6, at the beginning of line 11, strike "retroactively and"

Senator Padden spoke in favor of adoption of the amendment.

Senators Nguyen and Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 982 by Senator Padden on page 6, line 11 to Senate Bill No. 6370.

The motion by Senator Padden did not carry and floor amendment no. 982 was not adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Senate Bill No. 6370 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen 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. 6370.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6370 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Honeyford

Excused: Senators Braun and Fortunato

SENATE BILL NO. 6370, having received the 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. 6359, by Senators Short and Randall

Creating regulation exemptions for rural health clinics providing services in a designated home health shortage area.

The measure was read the second time.

MOTION

On motion of Senator Short, the rules were suspended, Senate Bill No. 6359 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Short 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. 6359.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6359 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Braun and Fortunato

SENATE BILL NO. 6359, having received the 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 FIRST DAY, FEBRUARY 12, 2020

2020 REGULAR SESSION

MOTION

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

THIRD READING

SUBSTITUTE SENATE BILL NO. 5441, by Senate Committee on Ways & Means (originally sponsored by Nguyen, Wilson, C., Darneille, Cleveland, Salomon, Randall, Hasegawa and Kuderer)

Extending rental vouchers for eligible offenders.

The bill was read on Third Reading.

Senators Nguyen and 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. 5441.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5441 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Braun and Fortunato

SUBSTITUTE SENATE BILL NO. 5441, having received the 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, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6028, by Senators Pedersen, Padden, Dhingra, Holy, Kuderer, and Wilson, C.

Adopting the uniform electronic transactions act and aligning statutory provisions relating to signatures, declarations, and documents.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 6028 was substituted for Senate Bill No. 6028 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Pedersen moved that the following floor amendment no. 949 by Senator Pedersen be adopted:

Beginning on page 16, line 30, strike all of section 25

Renumber the remaining sections consecutively.

On page 96, beginning on line 24, strike all of section 93

Renumber the remaining section consecutively.

On page 1, line 4 of the title, after "9.38.060," strike "9A.72.085,"

On page 1, line 18 of the title, after "RCW;" insert "and"

On page 1, beginning on line 19 of the title, after "19.400.030" strike "; and providing an expiration date"

Senator Pedersen spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 949 by Senator Pedersen on page 16, line 30 to Substitute Senate Bill No. 6028.

The motion by Senator Pedersen carried and floor amendment no. 949 was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute Senate Bill No. 6028 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. 6028.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6028 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Hasegawa

Excused: Senators Braun and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6028, having received the 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. 5900, by Senators Randall, Wilson, C., Takko, Saldaña, Van De Wege, Salomon, Liias, Das, Pedersen and Nguyen

Promoting access to earned benefits and services for lesbian, gay, bisexual, transgender, and queer veterans.

MOTIONS

On motion of Senator Randall, Substitute Senate Bill No. 5900 was substituted for Senate Bill No. 5900 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Randall, the rules were suspended, Substitute Senate Bill No. 5900 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall, Zeiger, Hobbs, Wagoner 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. 5900.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5900 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 4; Absent, 0; Excused, 2.

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

Voting nay: Senators Ericksen, Honeyford, Padden and Short

Excused: Senators Braun and Fortunato

SUBSTITUTE SENATE BILL NO. 5900, having received the 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 7:21 p.m., on motion of Senator Lias, the Senate adjourned until 9:00 o'clock a.m. Thursday, February 13, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

THIRTY SECOND DAY

MORNING SESSION

Senate Chamber, Olympia
Thursday, February 13, 2020

The Senate was called to order at 9:08 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present with the exception of Senator Fortunato.

The Sergeant at Arms Color Guard consisting of Pages Miss Jamie Stout and Miss Anna Kropidowski, presented the Colors. Page Mr. Daniel Zipperer led the Senate in the Pledge of Allegiance. The prayer was offered by Gen Kelsang Kherdrub, Resident Teacher, Tushita, Kadampa Buddhist Center, Olympia.

MOTION

On motion of Senator Liias, 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 Liias, and without objection, the Committee on State Government, Tribal Relations & Elections was granted special leave to meet during the day's floor session.

MOTION

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

REPORTS OF STANDING COMMITTEES

February 12, 2020

SGA 9309 JUDY GUENTHER, reappointed on July 2, 2019, for the term ending January 19, 2023, as Member of the Pharmacy Quality Assurance Commission. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Muzzall.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Van De Wege.

Referred to Committee on Rules for second reading.

February 12, 2020

SGA 9320 CRAIG A. RITCHIE, appointed on August 7, 2019, for the term ending January 19, 2023, as Member of the Pharmacy Quality Assurance Commission. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser; Muzzall and Van De Wege.

Referred to Committee on Rules for second reading.

February 12, 2020

SGA 9368 JERRIE L. ALLARD, reappointed on January 20, 2020, for the term ending January 19, 2024, as Member of the Pharmacy Quality Assurance Commission. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Muzzall.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Van De Wege.

Referred to Committee on Rules for second reading.

February 12, 2020

SGA 9369 TERIL FERREIRA, reappointed on January 20, 2020, for the term ending January 19, 2024, as Member of the Pharmacy Quality Assurance Commission. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Muzzall.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Van De Wege.

Referred to Committee on Rules for second reading.

February 12, 2020

SGA 9370 PATRICK L. GALLAHER, appointed on January 20, 2020, for the term ending January 19, 2024, as Member of the Pharmacy Quality Assurance Commission. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Muzzall.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Van De Wege.

Referred to Committee on Rules for second reading.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

SB 6688 by Senators Saldaña and Hunt

AN ACT Relating to requiring certain counties, cities, and towns to obtain preclearance before instituting voting

qualifications, prerequisites, standards, practices, or procedures; amending RCW 29A.92.010; and adding a new section to chapter 29A.92 RCW.

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

MOTION

On motion of Senator Liias, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

MOTION

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

MOTION

Senator Becker moved adoption of the following resolution which was read in part by the senators:

SENATE RESOLUTION 8670

By Senators Becker, Wellman, Saldaña, Salomon, Hunt, Lovelett, Nguyen, Pedersen, Hasegawa, Conway, Hobbs, Wilson, C., Kuderer, Frockt, Liias, Fortunato, Hawkins, Short, King, McCoy, Darneille, Van De Wege, Randall, Mullet, Dhingra, Cleveland, Carlyle, Warnick, Das, Zeiger, Ericksen, Rolfes, Wagoner, Muzzall, Sheldon, Honeyford, Walsh, Keiser, Padden, Rivers, O'Ban, Stanford, and Billig

WHEREAS, March 22, 2020, marks the one hundredth anniversary of the Washington State Legislature ratifying the 19th Amendment to the United States Constitution, legalizing the right to vote for most women in the United States; and

Senator Becker: "WHEREAS, Washington women and men fought with great perseverance in the face of often stern resistance for women's right to vote nationally and in our state for more than sixty-five years, both during Territorial days and after statehood before the 19th Amendment authorizing women's suffrage was approved by our state Legislature; and"

Senator Darneille: "WHEREAS, In 1853, eighteen-year old Catharine Paine Blaine, the youngest signer of the Declaration of Sentiments at the 1848 Women's Rights Convention in Seneca Falls, New York, brought the message of women's rights to the new Washington Territory and later became one of only two women who signed this historic Declaration to actually vote in their lifetime; and"

Senator Das: "WHEREAS, In 1854 early Washington Territorial legislator Arthur Denny proposed a women's suffrage bill that failed by only one vote; and

WHEREAS, In 1867 Washington Territorial legislator Edward Eldridge successfully prime sponsored an act that struck the word "male" from the voting laws, thus technically opening up voting to "all white American citizens above the age of twenty-one," most notably including women; however, this interpretation of the law was not widely embraced and women were routinely turned away at the polls; and"

Senator Brown: "WHEREAS, In 1870 sisters Mary Olney Brown and Charlotte Olney French launched several attempts to cast votes in Thurston County and, eventually succeeding,

became the first women to successfully cast ballots in Washington Territory and thus to encourage others; and"

Senator Dhingra: "WHEREAS, In 1871 Pacific Northwest women's rights leader Abigail Scott Duniway organized a speaking tour with national suffrage movement leader Susan B. Anthony through Washington Territory to promote women's suffrage; and

WHEREAS, In 1871 Susan B. Anthony became the first woman to address the Washington Territorial Legislature and cofounded the Washington Women's Suffrage Association; and"

Senator Keiser: "WHEREAS, In 1871, Washington Territorial Legislature passed an anti-suffrage law declaring that women could not vote until Congress made it the law of the land; and

WHEREAS, On November 23, 1883, women living in Washington Territory gained the right to vote by action of the Territorial Legislature; and"

Senator Rivers: "WHEREAS In 1883, when the Territorial Legislature enacted women's suffrage, African American women in Washington Territory became some of the first to have voting rights in the country; and

WHEREAS, On November 26, 1886, the Washington Territorial Legislature amended the 1883 act to state clearly that "all American citizens male and female" could vote; and"

Senator Kuderer: "WHEREAS, In 1887 the voting rights that were extended to women in Washington Territory in 1883 were revoked by the Washington Territory Supreme Court; and

WHEREAS, In 1888, the Territorial Legislature again enacted voting rights for women, but again it was overturned by the Territorial Supreme Court that same year; and"

Senator Lovelett: "WHEREAS, Washington women leaders such as Emma Smith DeVoe and May Arkwright Hutton and many others resurrected the local women's suffrage movement in the early 20th century and led Washington women to voting victory using the strategy of a calm and direct approach using campaigning posters, penny postcards and cookbooks in their campaigns; and"

Senator Short: "WHEREAS, On November 8, 1910, men voted in favor of women's suffrage 52,299 to 29,676, a nearly two-to-one margin, making Washington the first state in the 20th century and the fifth state in the Union to enfranchise women; and"

Senator Randall: "WHEREAS, This new Washington state constitutional provision, however, did not in itself authorize all women to vote, because two other factors blocked this right; (1) It authorized voting only for those who could read and speak English; and (2) many women, including immigrant Asians and Native Americans, were subject to other restrictive citizenship laws which denied the right to vote; and"

Senator Walsh: "WHEREAS, After women's suffrage was achieved in Washington in 1910, Washington women worked tirelessly to extend the woman's right to vote nationwide through astute political organizing, private persuasion, and mass action; and"

Senator Kuderer: "WHEREAS, Carrie Chapman Catt, who lived in Seattle and founded the Woman's Century Club there, was a leader in the national movement and met with President Woodrow Wilson to secure his support for suffrage in light of women's contributions during World War I; and"

Senator Saldaña: "WHEREAS, Washington's Emma Smith DeVoe founded the first national organization of voting women, the National Council of Women Voters, headquartered in Tacoma, which was the forerunner of the League of Women Voters; and"

THIRTY SECOND DAY, FEBRUARY 13, 2020

2020 REGULAR SESSION

Senator Warnick: "WHEREAS, In June 1919 Congress passed the 19th Amendment to the United States Constitution and sent it to the state Legislatures for ratification, requiring thirty-six states to ratify it; and

WHEREAS, On March 22, 1920, the Washington State Legislature unanimously ratified the 19th Amendment to the United States Constitution; and"

Senator Wilson, C.: "WHEREAS, On August 26, 1920, the last of the necessary thirty-six states ratified the 19th Amendment, thus enfranchising nearly half of the United States adult population; and

WHEREAS, The passionate, extended fight for women's suffrage, from the first women's rights convention in 1848 to national enfranchisement in 1920, lasted 72 years, with women from all walks of life, political views, and demographic backgrounds asking for the right to voice their opinions at the polls; and"

Senator Wilson, L.: "WHEREAS, Washington women by the thousands advocated for the right to vote—in parades, picketing, in newspapers, and in the state and federal capitols; and"

Senator Cleveland: "WHEREAS, Daughters, granddaughters, and great-granddaughters of the women who fought so hard to vote have been making their voices heard at the polls for over one hundred years in Washington state and nearly one hundred years nationwide; and

WHEREAS, Most of the women who worked for the right to vote did not live to see the success of enfranchisement of women; and"

Senator Wellman: "WHEREAS, In contemporary times, women are running for office in unprecedented numbers, with many current politicians, both male and female, keeping in mind that they follow in the footsteps of these great suffragists; and

WHEREAS, Many of the women and men who worked for Woman Suffrage in Washington Territory and then Washington state from 1854 to 1920 deserve recognition for their efforts and triumph;"

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate celebrate February 13, 2020, as the 100th Anniversary of the Washington State Legislature ratifying the 19th Amendment, and encourage accompanying celebrations throughout the state; and

BE IT FURTHER RESOLVED, That the Washington State Senate reaffirm its commitment to empowering and uplifting the voices of women across our great state.

Senator 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. 8670.

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

REMARKS BY THE PRESIDENT

President Habib: "The President would like to, first of all, thank the senators, the women senators, who organized in so many ways to make this and other celebrations today possible. Including, thank you for the tie Senator Das. But, thank you for organizing the very special reading of the resolution."

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Secretary of State Kim Wyman, former State Senator Karen Fraser, and Jenifer Kilmer,

Director, Washington State Historical Society and her spouse, U.S. Congressman, and former State Senator, Derek Kilmer, who were seated in the gallery.

PERSONAL PRIVILEGE

Senator Darneille: "Thank you Mr. President. Standing before you today, actually accompanied by two of our other members holding the Suffragist flag [Senators Lovelett and Randall in the rear of the chamber], this is the United States version of the flag. The colors are symbolic and if I can read Mr. President from a journal called *The Suffragist* from 1913?"

President Habib: "Senator, please proceed."

Senator Darneille: "Thank you. In that article they describe the symbolism of these colors: 'Purple is the color of loyalty, constancy to purpose, unswerving steadfastness to a cause. White, the emblem of purity, symbolizes the quality of our purpose; and gold, the color of light and life, is as the torch that guides our purpose, pure and unswerving. Simplified, the tri-colors signified loyalty, purity, and life.' And, I have the flag here today. This is part of a little plan to commemorate forever this event today and that is that the women of the Legislature both in the Senate and the House will be signing this flag today and it will become the possession of the Washington State History Museum. Along with that, I wanted to have everyone involved in this event today. So all of you should have a business card with you. Your staff has probably provided one. And you're thinking, 'Why do I need a business card on the floor of the Senate?' We're asking you to write the name, on your business card, of the first woman in your family who would have been eligible to vote. So it might be, like me, it might be my grandmother. Henrietta Taylor Phillips from 410 Pioneer Avenue in Cashmere, Washington would be the first woman in my family that I'm going to put her name on my card. So, if all of you with think about it. Could be your mother, it could be, you know, if you are new to this country, it could be you that were the first woman in your family to vote. And so, if you would put that on there, we will collect all those cards again from all the members of the Legislature and we will, those will be with the flag in the purse and the permanent collection of the Washington State History Museum. So today we will start the signing. It will be down in the Rules Room, in the Lieutenant Governor's office until 10:30 for the women of this body and then it will move to Secretary of State Kim Wyman's office for the rest of the day. And so, the House members will go down to Secretary Wyman's office, and we will sign it down downstairs as soon as possible. Thank you so much for your indulgence Mr. President."

PERSONAL PRIVILEGE

Senator Walsh: "I think we would be remiss in not noticing and acknowledging the fact that we've got very strong women up on the rostrum with you today Mr President. And, I must tell you, there was just a little flutter of warmth in my heart when I saw Victoria standing there with her little belly, holding that beautiful baby and me thinking, you know, talk about the wonderment of being a woman. There it is! And the other thing is, I'm so proud that you're both attorneys and you're in such high positions representing the Senate. And I just think that's wonderful. And you, yesterday, mentioned, Mr President, that we have a birthday on stage. And I was wondering if I could get my fellow folks here on the floor to help me in celebrating Jeannie Gorrell's birthday by singing Happy Birthday?"

The Senate rose and, led by Senator Walsh, performed a rendition of "Happy Birthday" in recognition of the anniversary of the birth of Ms. Jeannie Gorrell, Senate Counsel.

REMARKS BY THE PRESIDENT

President Habib: "Well you all know the best gift that we could give Jeannie Gorrell today would be to end our, our business in a timely manner so that she could spend some time with her family because I know over the years there have been many occasions in which she has spent this birthday even working past midnight. So thank you for that Senator Walsh."

PERSONAL PRIVILEGE

Senator Das: "When Senator Wellman asked me to help secure the sashes for the women in the Senate I took I very seriously and my staff and I did a lot of research on the proper sashes and the appropriate colors and to make sure that every woman in the Senate and many of our staff would be wearing these beautiful sashes today and then I realized that I wanted the men who wanted to participate to also feel included and so we had this great idea to buy the men ties and I want to just thank Senator Liias for choosing the tie for all of you wonderful gentleman and I just want to say that sitting here standing here I guess today in the Senate chamber as a woman this is not meant to be here not only to vote but to vote on behalf of the state people of the state of Washington is such an honor. And such a true joy to do this work every day and I want to thank my colleagues Mr. President for their grace and their hard work and dedication and passion this job is so unusual people ask me what it's like on a daily basis and I just let them know that it's like no other job that I have the honor to be a part of this body and I just want you all to know and when Senator Darneille just asked a question about the right to vote I'll just share my story my family came here from India as you know when I was eight months old was six dollars and my father was the first to get his right to vote to become a citizen and when I was thirteen years old my mother went through the rigmarole of the testing and the studying and took that test and as a child back then I don't know if the rules have changed the laws are changed I was able to become a citizen at that moment when she did at age thirteen so to answer Senator Darneille's question if I may Mr. President I am the first woman in my family to vote along with my mother in the United States of America and today looking up at the gallery and seeing all the women and I see that Secretary Kim Wyman also has hers now um her sash I'm just really honored and I just want everyone to know how grateful I am to stand here and what a privilege and honor it is to serve and seeing everyone in their ties and sashes today has been just a true joy and I just thank everyone thank you Mr. President thank you."

MOTION

At 9:40 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 10:54 a.m. by the President Pro Tempore, Senator Keiser presiding.

MOTION

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

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wilson, L. moved that Charles Clark, Senate Gubernatorial Appointment No. 9287, be confirmed as a Director of the Department of Financial Institutions - Agency Head.

Senators Wilson, L. and Mullet spoke in favor of passage of the motion.

MOTION

On motion of Senator Rivers, Senators Braun and Fortunato were excused.

MOTION

On motion of Senator Mullet, Senator McCoy was excused.

APPOINTMENT OF CHARLES CLARK

The President Pro Tempore declared the question before the Senate to be the confirmation of Charles Clark, Senate Gubernatorial Appointment No. 9287, as a Director of the Department of Financial Institutions - Agency Head.

The Secretary called the roll on the confirmation of Charles Clark, Senate Gubernatorial Appointment No. 9287, as a Director of the Department of Financial Institutions - Agency Head and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Braun, Fortunato and McCoy

Charles Clark, Senate Gubernatorial Appointment No. 9287, having received the constitutional majority was declared confirmed as a Director of the Department of Financial Institutions.

MOTION

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

SECOND READING

SENATE BILL NO. 6152, by Senators Salomon, Billig, Hunt, Nguyen, McCoy, Lovelett, Kuderer, Rolfes, Liias, Van De Wege, Das, and Wilson, C.

Concerning certification of the level of foreign national ownership for corporations that participate in Washington state elections.

MOTION

THIRTY SECOND DAY, FEBRUARY 13, 2020

2020 REGULAR SESSION

On motion of Senator Salomon, Substitute Senate Bill No. 6152 was substituted for Senate Bill No. 6152 and the substitute bill was placed on the second reading and read the second time.

Extending the farm internship program.

The measure was read the second time.

MOTION

MOTION

Senator Ericksen moved that the following floor amendment no. 999 by Senator Ericksen be adopted:

Senator Muzzall moved that the following amendment no. 980 by Senator Muzzall be adopted:

On page 20, after line 24, insert the following:

On page 8, after line 20, insert the following:

"NEW SECTION. Sec. 6. A new section is added to chapter 42.17A RCW to read as follows:

"NEW SECTION. Sec. 5. 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."

A nonprofit organization which receives more than one percent of its donations from foreign nationals or the affiliated committee of such an organization may not make a contribution or expenditure."

On page 1, line 4 of the title, after "RCW;" strike "and providing expiration dates" and insert "providing expiration dates; and declaring an emergency

On page 1, line 4 of the title, after "42.17A.255;" insert "adding a new section to chapter 42.17A RCW;"

Senator Muzzall spoke in favor of adoption of the amendment.

Senator Ericksen 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. 980 by Senator Muzzall on page 8, line 20 to Senate Bill No. 6421

Senator Salomon spoke against adoption of the amendment.

The motion by Senator Muzzall carried and amendment no. 980 was adopted by voice vote.

The President Pro Tempore declared the question before the Senate to be the adoption of floor amendment no. 999 by Senator Ericksen on page 20, after line 24 to Substitute Senate Bill No. 6152.

MOTION

The motion by Senator Ericksen did not carry and floor amendment no. 999 was not adopted by voice vote.

On motion of Senator Muzzall, the rules were suspended, Engrossed Senate Bill No. 6421 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

MOTION

On motion of Senator Salomon, the rules were suspended, Substitute Senate Bill No. 6152 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Muzzall and Liias spoke in favor of passage of the bill.

Senator Salomon spoke in favor of passage of the bill.

Senators Warnick, Sheldon, Rivers, Wellman, Hunt, Becker, Lovelett, Hawkins, Saldaña, Das and Wagoner spoke on passage of the bill.

POINT OF INQUIRY

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6152.

Senator Conway: "Will Senator Muzzall yield to a question?"

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6152 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 16; Absent, 0; Excused, 3.

President Pro Tempore Keiser: "Senator Muzzall, do you yield?"

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wagoner, Wellman, Wilson, C. and Zeiger

Senator Muzzall: "I would like not too, but I feel some pressure to, so yes I will."

Voting nay: Senators Becker, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Walsh, Warnick and Wilson, L.

Senator Conway: "I wanted to ask you whether your predecessor, Senator Bailey, asked you to remove that emergency clause from the bill?"

Excused: Senators Braun, Fortunato and McCoy

Senator Muzzall: "No, it was on my own, thank you."

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6421.

ROLL CALL

SUBSTITUTE SENATE BILL NO. 6152, having received the 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 Secretary called the roll on the final passage of Engrossed Senate Bill No. 6421 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

SECOND READING

SENATE BILL NO. 6421, by Senators Muzzall, Hunt, Warnick, Takko, Schoesler, Wagoner, Padden, Hasegawa and Saldaña

Voting yea: Senators Becker, Billig, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes,

Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Braun and Fortunato

ENGROSSED 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.

PERSONAL PRIVILEGE

Senator Muzzall: "The gift, which was put together by my wife and daughters, are all, all parts of our store. The pepperoni, as you can read on the label, is an all natural product and the other two items came out of the store, put together. I do have the privilege of serving as the managing partner, as a minority owner, of a woman owned organization and I am the fourth generation of, on a farm that has had four generations of extremely important, strong-willed women who have all taken a huge part in the operations so I guess just fitting that it be on this day. Thank you, Madam President."

The President Pro Tempore thanked Senator Muzzall and welcomed him to the senate.

PERSONAL PRIVILEGE

Senator Rivers: "Thank you Madam President. So, after excoriating my good friend from the 10th I feel compelled to stand up and say something nice about him. Enjoy this moment 'cause it rarely happens. So, it is my pleasure to sit next to Senator Muzzall in two committees ..."

President Pro Tempore Keiser: "So this is a point of personal privilege?"

Senator Rivers: "Oh, it is, yes. Thank you so much. Madam President, point of personal privilege?"

President Pro Tempore Keiser: "Yes."

Senator Rivers: "Thank you. And I have found Senator Muzzall to be a thoughtful well learned individual who has no fear of expressing his opinion and I have found that typically I am better off for the hearing of it so I extend my heartfelt welcome to the Senator. I think that he will indeed work across the aisle and I believe that this body is much better for his presence here. Thank you."

SECOND READING

SENATE BILL NO. 6051, by Senators Cleveland, O'Ban, Becker, and Wilson, C.

Concerning health coverage supplementing medicare part D provided through a federally authorized employer group waiver plan.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 6051 was substituted for Senate Bill No. 6051 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. 6051 was advanced to third reading,

the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and O'Ban 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. 6051.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6051 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Braun and Fortunato

SUBSTITUTE SENATE BILL NO. 6051, having received the 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. 6103, by Senators Wellman and Wilson, C.

Concerning educational reporting requirements.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Senate Bill No. 6103 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6103.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6103 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Braun and Fortunato

THIRTY SECOND DAY, FEBRUARY 13, 2020

2020 REGULAR SESSION

SENATE BILL NO. 6103, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

lot in their campaign and also they used jewelry. You'll see jewelry down there with the colors that, they used to wear, the colors of the suffragette movement in, on, on through jewelry. So its a very interesting display, take a look at it if you have time. Thank you.”

SECOND READING

SENATE BILL NO. 6105, by Senators Hunt, Saldaña, and Wilson, C.

Senator Liias announced a meeting of the Committee on Rules at 12:00 o'clock p.m. and that the senate intended to reconvene promptly at 1:00 o'clock p.m.

Concerning the administration of state education agencies.

PERSONAL PRIVILEGE

MOTIONS

On motion of Senator Hunt, Substitute Senate Bill No. 6105 was substituted for Senate Bill No. 6105 and the substitute bill was placed on the second reading and read the second time.

Senator Honeyford: “Thank you Madam President. With all this celebration of women's suffrage I thought I should point out that the first woman to vote in Washington state was Sacagawea or Sakakawea or however you want to pronounce it. With Lewis and Clark. When you're down at the mouth of the Columbia, where they were voting on whether to stay there, move back upstream, or move across the river to Oregon for their winter fort, which they did. So, I just thought we should announce that.”

On motion of Senator Hunt, the rules were suspended, Substitute Senate Bill No. 6105 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Hawkins spoke in favor of passage of the bill.

MOTION

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6105.

At 11:45 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6105 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

AFTERNOON SESSION

The Senate was called to order at 1:06 p.m. by President Habib.

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

MOTION

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

Excused: Senators Braun and Fortunato

MESSAGES FROM THE HOUSE

February 12, 2020

MR. PRESIDENT:
The House has passed:

- SUBSTITUTE HOUSE BILL NO. 1009,
- HOUSE BILL NO. 1079,
- SUBSTITUTE HOUSE BILL NO. 1255,
- HOUSE BILL NO. 1278,
- SUBSTITUTE HOUSE BILL NO. 1293,
- HOUSE BILL NO. 1347,
- THIRD SUBSTITUTE HOUSE BILL NO. 1660,
- HOUSE BILL NO. 1750,
- HOUSE BILL NO. 1983,
- HOUSE BILL NO. 2109,
- HOUSE BILL NO. 2189,
- HOUSE BILL NO. 2217,
- HOUSE BILL NO. 2218,
- HOUSE BILL NO. 2229,
- HOUSE BILL NO. 2242,
- SUBSTITUTE HOUSE BILL NO. 2250,
- HOUSE BILL NO. 2266,
- HOUSE BILL NO. 2271,
- SUBSTITUTE HOUSE BILL NO. 2287,
- HOUSE BILL NO. 2315,
- SUBSTITUTE HOUSE BILL NO. 2320,
- HOUSE BILL NO. 2340,
- HOUSE BILL NO. 2348,
- SUBSTITUTE HOUSE BILL NO. 2374,
- HOUSE BILL NO. 2402,

SUBSTITUTE SENATE BILL NO. 6105, having received the 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 Wellman: “Yes, those of you who might be concerned with the case of the mysterious moving flag or would like to know perhaps that it is in the Secretary of State's office and will be there all day. So, should we get a chance to take a lunch break, it would be nice to have everybody sign it. Also to tell you that Senator Conway has put some exhibits of original memorabilia from the women's suffrage movement and you might want to take a look at it at the dais. Thank you.”

PERSONAL PRIVILEGE

Senator Conway: “Thank you for the reference. That was exactly what I was going to say. You know there's a quite a deal of memorabilia down there from the suffragette campaign to achieve the vote, including one of the very famous postcards called *The Suffragette Madonna*. You might want to look at that. That's a very interesting postcard. Suffragettes used postcards a

HOUSE BILL NO. 2449,
 SUBSTITUTE HOUSE BILL NO. 2473,
 SUBSTITUTE HOUSE BILL NO. 2476,
 HOUSE BILL NO. 2508,
 SUBSTITUTE HOUSE BILL NO. 2527,
 HOUSE BILL NO. 2545,
 HOUSE BILL NO. 2579,
 HOUSE BILL NO. 2587,
 SUBSTITUTE HOUSE BILL NO. 2589,
 HOUSE BILL NO. 2602,
 SUBSTITUTE HOUSE BILL NO. 2632,
 HOUSE BILL NO. 2640,
 HOUSE BILL NO. 2664,
 HOUSE BILL NO. 2701,
 HOUSE JOINT MEMORIAL NO. 4012,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 12, 2020

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1187,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1261,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1551,
 ENGROSSED HOUSE BILL NO. 1687,
 ENGROSSED HOUSE BILL NO. 2008,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2411,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2551,
 ENGROSSED HOUSE BILL NO. 2811,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hawkins moved that Gene C. Sharratt, Senate Gubernatorial Appointment No. 9097, be confirmed as a member of the Higher Education Facilities Authority.

Senators Hawkins and Zeiger spoke in favor of passage of the motion.

MOTION

On motion of Senator Rivers, Senators Ericksen, Schoesler and Sheldon were excused.

APPOINTMENT OF GENE C. SHARRATT

The President declared the question before the Senate to be the confirmation of Gene C. Sharratt, Senate Gubernatorial Appointment No. 9097, as a member of the Higher Education Facilities Authority.

The Secretary called the roll on the confirmation of Gene C. Sharratt, Senate Gubernatorial Appointment No. 9097, as a member of the Higher Education Facilities Authority and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Gene C. Sharratt, Senate Gubernatorial Appointment No. 9097, having received the constitutional majority was declared confirmed as a member of the Higher Education Facilities Authority.

MOTION

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

SECOND READING

SENATE BILL NO. 6259, by Senators McCoy, Hasegawa, Stanford, Wilson, C., Das, Nguyen, Van De Wege and Darneille

Improving the Indian behavioral health system.

MOTIONS

On motion of Senator McCoy, Substitute Senate Bill No. 6259 was substituted for Senate Bill No. 6259 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator McCoy, the rules were suspended, Substitute Senate Bill No. 6259 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 Substitute Senate Bill No. 6259.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6259 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

SUBSTITUTE SENATE BILL NO. 6259, having received the 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. 6263, by Senators McCoy, Wellman, Kuderer, Hasegawa, Lovelett, Wilson, C., Das, Nguyen and Hunt

Creating a model educational data sharing agreement between school districts and tribes.

The measure was read the second time.

MOTION

On motion of Senator McCoy, 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.

Senators McCoy and Hawkins 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, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Ericksen, Fortunato and Sheldon

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 and Warnick

Concerning tracked and wheeled all-terrain vehicles.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, 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 Senate Bill No. 6363.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6363 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

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. 6499, by Senators Schoesler, Hunt, Kuderer, Becker, Conway and Hasegawa

Concerning the confidentiality of retirement system files and records relating to health information.

MOTIONS

On motion of Senator Schoesler, Substitute Senate Bill No. 6499 was substituted for Senate Bill No. 6499 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. 6499 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Schoesler 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. 6499.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6499 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6499, having received the 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. 6096, by Senators Keiser, Stanford and Saldaña

Preventing disruption of certain state-financed and procured services due to labor unrest within contracted service providers.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 6096 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser 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. 6096.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6096 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 12; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Braun, Brown, Honeyford, King, Padden, Schoesler, Sheldon, Short, Wagoner, Warnick and Wilson, L.

Excused: Senators Ericksen and Fortunato

SENATE BILL NO. 6096, having received the 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, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5434, by Senate Committee on Law & Justice (originally sponsored by Wilson, C., Hunt, Keiser, Kuderer, Nguyen and Pedersen)

Restricting possession of weapons in certain locations.

The bill was read on Third Reading.

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

Senators Wilson, L. and Padden 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. 5434.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5434 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 20; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Van De Wege, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 5434, having received the 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. 5247, by Senate Committee on Ways & Means (originally sponsored by Frockt, Zeiger, Hobbs, Bailey, Rolfes, Hunt, Conway, Das, Honeyford, Keiser and Mullet)

Addressing catastrophic incidents that are natural or human-caused emergencies by providing guidance that may be used by state public schools to plan for seismic catastrophic incidents.

The bill was read on Third Reading.

Senators Frockt and Zeiger spoke in favor of passage of the bill.

Senator Hasegawa spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5247.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5247 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 5247, having received the 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. 5385, by Senate Committee on Health & Long Term Care (originally sponsored by Becker, Cleveland, Braun, O'Ban, Wilson, L., Brown, Warnick, Zeiger, Bailey and Van De Wege)

Concerning telemedicine payment parity.

The bill was read on Third Reading.

MOTION

On motion of Senator Becker, the rules were suspended and Substitute Senate Bill No. 5385 was returned to second reading for the purposes of amendment.

MOTION

Senator Becker moved that the following striking floor amendment no. 956 by Senators Becker and Cleveland be adopted:

Strike everything after the enacting clause and insert the following:

THIRTY SECOND DAY, FEBRUARY 13, 2020

2020 REGULAR SESSION

"Sec. 7. RCW 48.43.735 and 2017 c 219 s 1 are each amended to read as follows:

(1)(a) For health plans issued or renewed on or after January 1, 2017, a health carrier shall reimburse a provider for a health care service provided to a covered person through telemedicine or store and forward technology if:

((a)) (i) The plan provides coverage of the health care service when provided in person by the provider;

((b)) (ii) The health care service is medically necessary;

((c)) (iii) The health care service is a service recognized as an essential health benefit under section 1302(b) of the federal patient protection and affordable care act in effect on January 1, 2015; and

((d)) (iv) The health care service is determined to be safely and effectively provided through telemedicine or store and forward technology according to generally accepted health care practices and standards, and the technology used to provide the health care service meets the standards required by state and federal laws governing the privacy and security of protected health information.

(b)(i) Except as provided in (b)(ii) of this subsection, for health plans issued or renewed on or after January 1, 2021, a health carrier shall reimburse a provider for a health care service provided to a covered person through telemedicine at the same rate as if the health care service was provided in person by the provider.

(ii) Hospitals, hospital systems, telemedicine companies, and provider groups consisting of eleven or more providers may elect to negotiate a reimbursement rate for telemedicine services that differs from the reimbursement rate for in-person services.

(iii) For purposes of this subsection (1)(b), the number of providers in a provider group refers to all providers within the group, regardless of a provider's location.

~~(2)((a) If the service is provided through store and forward technology there must be an associated office visit between the covered person and the referring health care provider. Nothing in this section prohibits the use of telemedicine for the associated office visit.~~

((b)) For purposes of this section, reimbursement of store and forward technology is available only for those covered services specified in the negotiated agreement between the health carrier and the health care provider.

(3) An originating site for a telemedicine health care service subject to subsection (1) of this section includes a:

- (a) Hospital;
- (b) Rural health clinic;
- (c) Federally qualified health center;
- (d) Physician's or other health care provider's office;
- (e) Community mental health center;
- (f) Skilled nursing facility;
- (g) Home or any location determined by the individual receiving the service; or
- (h) Renal dialysis center, except an independent renal dialysis center.

(4) Except for subsection (3)(g) of this section, any originating site under subsection (3) of this section may charge a facility fee for infrastructure and preparation of the patient. Reimbursement for a facility fee must be subject to a negotiated agreement between the originating site and the health carrier. A distant site or any other site not identified in subsection (3) of this section may not charge a facility fee.

(5) A health carrier may not distinguish between originating sites that are rural and urban in providing the coverage required in subsection (1) of this section.

(6) A health carrier may subject coverage of a telemedicine or store and forward technology health service under subsection (1) of this section to all terms and conditions of the plan in which the covered person is enrolled including, but not limited to, utilization review, prior authorization, deductible, copayment, or coinsurance requirements that are applicable to coverage of a comparable health care service provided in person.

(7) This section does not require a health carrier to reimburse:

(a) An originating site for professional fees;

(b) A provider for a health care service that is not a covered benefit under the plan; or

(c) An originating site or health care provider when the site or provider is not a contracted provider under the plan.

(8) For purposes of this section:

(a) "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;

(b) "Health care service" has the same meaning as in RCW 48.43.005;

(c) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW;

(d) "Originating site" means the physical location of a patient receiving health care services through telemedicine;

(e) "Provider" has the same meaning as in RCW 48.43.005;

(f) "Store and forward technology" means use of an asynchronous transmission of a covered person's medical information from an originating site to the health care provider at a distant site which results in medical diagnosis and management of the covered person, and does not include the use of audio-only telephone, facsimile, or email; and

(g) "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. For purposes of this section only, "telemedicine" does not include the use of audio-only telephone, facsimile, or email.

Sec. 8. RCW 41.05.700 and 2018 c 260 s 30 are each amended to read as follows:

(1)(a) A health plan offered to employees, school employees, and their covered dependents under this chapter issued or renewed on or after January 1, 2017, shall reimburse a provider for a health care service provided to a covered person through telemedicine or store and forward technology if:

((a)) (i) The plan provides coverage of the health care service when provided in person by the provider;

((b)) (ii) The health care service is medically necessary;

((c)) (iii) The health care service is a service recognized as an essential health benefit under section 1302(b) of the federal patient protection and affordable care act in effect on January 1, 2015; and

((d)) (iv) The health care service is determined to be safely and effectively provided through telemedicine or store and forward technology according to generally accepted health care practices and standards, and the technology used to provide the health care service meets the standards required by state and federal laws governing the privacy and security of protected health information.

(b)(i) Except as provided in (b)(ii) of this subsection, a health plan offered to employees, school employees, and their covered dependents under this chapter issued or renewed on or after January 1, 2021, shall reimburse a provider for a health care service provided to a covered person through telemedicine at the same rate as if the health care service was provided in person by the provider.

(ii) Hospitals, hospital systems, telemedicine companies, and provider groups consisting of eleven or more providers may elect to negotiate a reimbursement rate for telemedicine services that differs from the reimbursement rate for in-person services.

(iii) For purposes of this subsection (1)(b), the number of providers in a provider group refers to all providers within the group, regardless of a provider's location.

~~(2)((a) If the service is provided through store and forward technology there must be an associated office visit between the covered person and the referring health care provider. Nothing in this section prohibits the use of telemedicine for the associated office visit.~~

~~(b))~~ For purposes of this section, reimbursement of store and forward technology is available only for those covered services specified in the negotiated agreement between the health plan and health care provider.

(3) An originating site for a telemedicine health care service subject to subsection (1) of this section includes a:

- (a) Hospital;
- (b) Rural health clinic;
- (c) Federally qualified health center;
- (d) Physician's or other health care provider's office;
- (e) Community mental health center;
- (f) Skilled nursing facility;
- (g) Home or any location determined by the individual receiving the service; or
- (h) Renal dialysis center, except an independent renal dialysis center.

(4) Except for subsection (3)(g) of this section, any originating site under subsection (3) of this section may charge a facility fee for infrastructure and preparation of the patient. Reimbursement for a facility fee must be subject to a negotiated agreement between the originating site and the health plan. A distant site or any other site not identified in subsection (3) of this section may not charge a facility fee.

(5) The plan may not distinguish between originating sites that are rural and urban in providing the coverage required in subsection (1) of this section.

(6) The plan may subject coverage of a telemedicine or store and forward technology health service under subsection (1) of this section to all terms and conditions of the plan including, but not limited to, utilization review, prior authorization, deductible, copayment, or coinsurance requirements that are applicable to coverage of a comparable health care service provided in person.

(7) This section does not require the plan to reimburse:

- (a) An originating site for professional fees;
- (b) A provider for a health care service that is not a covered benefit under the plan; or
- (c) An originating site or health care provider when the site or provider is not a contracted provider under the plan.

(8) For purposes of this section:

(a) "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;

(b) "Health care service" has the same meaning as in RCW 48.43.005;

(c) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW;

(d) "Originating site" means the physical location of a patient receiving health care services through telemedicine;

(e) "Provider" has the same meaning as in RCW 48.43.005;

(f) "Store and forward technology" means use of an asynchronous transmission of a covered person's medical information from an originating site to the health care provider at a distant site which results in medical diagnosis and management

of the covered person, and does not include the use of audio-only telephone, facsimile, or email; and

(g) "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. For purposes of this section only, "telemedicine" does not include the use of audio-only telephone, facsimile, or email.

Sec. 9. RCW 74.09.325 and 2017 c 219 s 3 are each amended to read as follows:

(1)(a) Upon initiation or renewal of a contract with the Washington state health care authority to administer a medicaid managed care plan, a managed health care system shall reimburse a provider for a health care service provided to a covered person through telemedicine or store and forward technology if:

~~((a))~~ (i) The medicaid managed care plan in which the covered person is enrolled provides coverage of the health care service when provided in person by the provider;

~~((b))~~ (ii) The health care service is medically necessary;

~~((c))~~ (iii) The health care service is a service recognized as an essential health benefit under section 1302(b) of the federal patient protection and affordable care act in effect on January 1, 2015; and

~~((d))~~ (iv) The health care service is determined to be safely and effectively provided through telemedicine or store and forward technology according to generally accepted health care practices and standards, and the technology used to provide the health care service meets the standards required by state and federal laws governing the privacy and security of protected health information.

(b)(i) Except as provided in (b)(ii) of this subsection, upon initiation or renewal of a contract with the Washington state health care authority to administer a medicaid managed care plan, a managed health care system shall reimburse a provider for a health care service provided to a covered person through telemedicine at the same rate as if the health care service was provided in person by the provider.

(ii) Hospitals, hospital systems, telemedicine companies, and provider groups consisting of eleven or more providers may elect to negotiate a reimbursement rate for telemedicine services that differs from the reimbursement rate for in-person services.

(iii) For purposes of this subsection (1)(b), the number of providers in a provider group refers to all providers within the group, regardless of a provider's location.

~~(2)((a) If the service is provided through store and forward technology there must be an associated visit between the covered person and the referring health care provider. Nothing in this section prohibits the use of telemedicine for the associated office visit.~~

~~(b))~~ For purposes of this section, reimbursement of store and forward technology is available only for those services specified in the negotiated agreement between the managed health care system and health care provider.

(3) An originating site for a telemedicine health care service subject to subsection (1) of this section includes a:

- (a) Hospital;
- (b) Rural health clinic;
- (c) Federally qualified health center;
- (d) Physician's or other health care provider's office;
- (e) Community mental health center;
- (f) Skilled nursing facility;
- (g) Home or any location determined by the individual receiving the service; or
- (h) Renal dialysis center, except an independent renal dialysis center.

THIRTY SECOND DAY, FEBRUARY 13, 2020

2020 REGULAR SESSION

(4) Except for subsection (3)(g) of this section, any originating site under subsection (3) of this section may charge a facility fee for infrastructure and preparation of the patient. Reimbursement for a facility fee must be subject to a negotiated agreement between the originating site and the managed health care system. A distant site or any other site not identified in subsection (3) of this section may not charge a facility fee.

(5) A managed health care system may not distinguish between originating sites that are rural and urban in providing the coverage required in subsection (1) of this section.

(6) A managed health care system may subject coverage of a telemedicine or store and forward technology health service under subsection (1) of this section to all terms and conditions of the plan in which the covered person is enrolled including, but not limited to, utilization review, prior authorization, deductible, copayment, or coinsurance requirements that are applicable to coverage of a comparable health care service provided in person.

(7) This section does not require a managed health care system to reimburse:

- (a) An originating site for professional fees;
- (b) A provider for a health care service that is not a covered benefit under the plan; or
- (c) An originating site or health care provider when the site or provider is not a contracted provider under the plan.

(8) For purposes of this section:

(a) "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;

(b) "Health care service" has the same meaning as in RCW 48.43.005;

(c) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW;

(d) "Managed health care system" means any health care organization, including health care providers, insurers, health care service contractors, health maintenance organizations, health insuring organizations, or any combination thereof, that provides directly or by contract health care services covered under this chapter and rendered by licensed providers, on a prepaid capitated basis and that meets the requirements of section 1903(m)(1)(A) of Title XIX of the federal social security act or federal demonstration waivers granted under section 1115(a) of Title XI of the federal social security act;

(e) "Originating site" means the physical location of a patient receiving health care services through telemedicine;

(f) "Provider" has the same meaning as in RCW 48.43.005;

(g) "Store and forward technology" means use of an asynchronous transmission of a covered person's medical information from an originating site to the health care provider at a distant site which results in medical diagnosis and management of the covered person, and does not include the use of audio-only telephone, facsimile, or email; and

(h) "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. For purposes of this section only, "telemedicine" does not include the use of audio-only telephone, facsimile, or email.

(9) To measure the impact on access to care for underserved communities and costs to the state and the medicaid managed health care system for reimbursement of telemedicine services, the Washington state health care authority, using existing data and resources, shall provide a report to the appropriate policy and fiscal committees of the legislature no later than December 31, 2018.

Sec. 10. RCW 28B.20.830 and 2018 c 256 s 1 are each amended to read as follows:

(1) The collaborative for the advancement of telemedicine is created to enhance the understanding and use of health services provided through telemedicine and other similar models in Washington state. The collaborative shall be hosted by the University of Washington telehealth services and shall be comprised of one member from each of the two largest caucuses of the senate and the house of representatives, and representatives from the academic community, hospitals, clinics, and health care providers in primary care and specialty practices, carriers, and other interested parties.

(2) By July 1, 2016, the collaborative shall be convened. The collaborative shall develop recommendations on improving reimbursement and access to services, including originating site restrictions, provider to provider consultative models, and technologies and models of care not currently reimbursed; identify the existence of telemedicine best practices, guidelines, billing requirements, and fraud prevention developed by recognized medical and telemedicine organizations; and explore other priorities identified by members of the collaborative. After review of existing resources, the collaborative shall explore and make recommendations on whether to create a technical assistance center to support providers in implementing or expanding services delivered through telemedicine technologies.

(3) The collaborative must submit an initial progress report by December 1, 2016, with follow-up policy reports including recommendations by December 1, 2017, December 1, 2018, and December 1, 2021. The reports shall be shared with the relevant professional associations, governing boards or commissions, and the health care committees of the legislature.

(4) The collaborative shall study store and forward technology, with a focus on:

(a) Utilization;

(b) Whether store and forward technology should be paid for at parity with in-person services;

(c) The potential for store and forward technology to improve rural health outcomes in Washington state; and

(d) Ocular services.

(5) The meetings of the board shall be open public meetings, with meeting summaries available on a web page.

~~((5))~~ (6) The future of the collaborative shall be reviewed by the legislature with consideration of ongoing technical assistance needs and opportunities. The collaborative terminates December 31, 2021.

NEW SECTION. **Sec. 11.** This act takes effect January 1, 2021."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "reimbursing for telemedicine services at the same rate as in person; amending RCW 48.43.735, 41.05.700, 74.09.325, and 28B.20.830; and providing an effective date."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 956 by Senators Becker and Cleveland to Substitute Senate Bill No. 5385.

The motion by Senator Becker carried and striking floor amendment no. 956 was adopted by voice vote.

MOTION

On motion of Senator Becker, the rules were suspended, Engrossed Substitute Senate Bill No. 5385 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.

Senator Hasegawa 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. 5385.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5385 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

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

Voting nay: Senators Hasegawa and Mullet

Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 5385, having received the 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. 5024, by Senate Committee on Local Government (originally sponsored by Hasegawa and Fortunato)

Concerning the transparency of local taxing districts.

The bill was read on Third Reading.

Senators Hasegawa and Short 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. 5024.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5024 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 5024, having received the 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, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6313, by Senators Liias, Kuderer, Hunt, Randall, Mullet, Keiser, Billig, Saldaña, Darneille, Hasegawa, Takko, Rolfes, McCoy, Stanford, Das, Dhingra, Lovelett, Nguyen, and Wilson, C.

Increasing opportunities for young voters.

MOTION

Senator Liias moved that Substitute Senate Bill No. 6313 be substituted for Senate Bill No. 6313 and the substitute bill be placed on the second reading calendar and read the second time.

Senator Zeiger objected to the motion that Senate Bill No. 6313 be substituted.

MOTION

On motion of Senator Liias, further consideration of Senate Bill No. 6313 was deferred and the bill held its place on the second reading calendar.

MOTION

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

THIRD READING

SECOND SUBSTITUTE SENATE BILL NO. 5236, by Senate Committee on Ways & Means (originally sponsored by Keiser, Conway, Wellman, Braun, Saldaña, Hasegawa, Wilson, C., Kuderer, Takko, Das and Frockt)

Encouraging apprenticeships.

The bill was read on Third Reading.

Senator 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 Senate Bill No. 5236.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5236 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

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

Voting nay: Senators Walsh and Wilson, L.

Excused: Senators Ericksen and Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 5236, having received the 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, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6034, by Senators Keiser, Conway, Wellman, Dhingra, Stanford, Saldaña, Pedersen, Darneille, Frockt, Hunt, Kuderer, Lovelett, Nguyen, Randall, Cleveland, and Wilson, C.

Extending the time allowed to file a complaint with the human rights commission for a claim related to pregnancy discrimination.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 6034 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.
 Senator Walsh spoke against passage of the bill.
 Senator King spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6034.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6034 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 9; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Stanford, Takko, Van De Wege, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Honeyford, Rivers, Short, Wagoner, Walsh, Warnick and Wilson, L.

Excused: Senators Ericksen and Fortunato

SENATE BILL NO. 6034, having received the 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. 6605, by Senators Holy and Pedersen

Licensing security guards.

MOTIONS

On motion of Senator Holy, 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.

On motion of Senator Holy, the rules were suspended, Substitute Senate Bill No. 6605 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Holy 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. 6605.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6605 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

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. 6383, by Senators Conway, Schoesler and Mullet

Concerning the retirement strategy funds in the plan 3 and the deferred compensation programs.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 6383 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator 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. 6383.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6383 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SENATE BILL NO. 6383, having received the 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. 6500, by Senators Padden, Darneille, Nguyen, and Wilson, C.

Addressing foster care licensing following a foster-family home licensee's move to a new location.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 6500 was substituted for Senate Bill No. 6500 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. 6500 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden 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. 6500.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6500 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6500, having received the 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. 6567, by Senators Frockt, Conway, Short, Pedersen, Cleveland, Kuderer, Randall, Hunt, Saldaña, Takko, Wellman, and Wilson, C.

Recognizing the eighteenth day of December as blood donor day.

The measure was read the second time.

MOTION

On motion of Senator Frockt, the rules were suspended, Senate Bill No. 6567 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frockt and Zeiger 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. 6567.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6567 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SENATE BILL NO. 6567, having received the 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. 6643, by Senator Takko

Combining a resolution proposing abandonment and a resolution proposing a council-manager plan of government into a single proposition.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, Senate Bill No. 6643 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short 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. 6643.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6643 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SENATE BILL NO. 6643, having received the 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. 6670, by Senators Billig, Van De Wege, Salomon, Schoesler, Conway and Saldaña

Encouraging access to state parks through cooperative programs with libraries.

MOTIONS

THIRTY SECOND DAY, FEBRUARY 13, 2020

2020 REGULAR SESSION

On motion of Senator Billig, Substitute Senate Bill No. 6670 was substituted for Senate Bill No. 6670 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Billig, the rules were suspended, Substitute Senate Bill No. 6670 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Billig, Warnick 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. 6670.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6670 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6670, having received the 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. 6265, by Senators McCoy, Hasegawa, Lovelett, Wilson, C. and Das

Concerning the lease or rental of surplus property of school districts.

The measure was read the second time.

MOTION

On motion of Senator McCoy, the rules were suspended, Senate Bill No. 6265 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McCoy and Hawkins 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. 6265.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6265 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden,

Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

Excused: Senators Ericksen and Fortunato

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 Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hawkins moved that Tamra L. Jackson, Senate Gubernatorial Appointment No. 9105, be confirmed as a member of the Wenatchee Valley College Board of Trustees.

Senator Hawkins spoke in favor of the motion.

APPOINTMENT OF TAMRA L. JACKSON

The President declared the question before the Senate to be the confirmation of Tamra L. Jackson, Senate Gubernatorial Appointment No. 9105, as a member of the Wenatchee Valley College Board of Trustees.

The Secretary called the roll on the confirmation of Tamra L. Jackson, Senate Gubernatorial Appointment No. 9105, 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 Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senator Saldaña

Excused: Senators Ericksen and Fortunato

Tamra L. Jackson, Senate Gubernatorial Appointment No. 9105, having received the constitutional majority was declared confirmed as a member of the Wenatchee Valley College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Darneille moved that Robert M. Ryan, Senate Gubernatorial Appointment No. 9109, be confirmed as a member of the Tacoma Community College Board of Trustees.

Senator Darneille spoke in favor of the motion.

APPOINTMENT OF ROBERT M. RYAN

The President declared the question before the Senate to be the confirmation of Robert M. Ryan, Senate Gubernatorial Appointment No. 9109, as a member of the Tacoma Community College Board of Trustees.

The Secretary called the roll on the confirmation of Robert M. Ryan, Senate Gubernatorial Appointment No. 9109, as a member of the Tacoma Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

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

Absent: Senator Saldaña

Excused: Senators Ericksen and Fortunato

Robert M. Ryan, Senate Gubernatorial Appointment No. 9109, having received the constitutional majority was declared confirmed as a member of the Tacoma Community College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hawkins moved that Thomas R. Stredwick, Senate Gubernatorial Appointment No. 9113, be confirmed as a member of the Big Bend Community College Board of Trustees.

Senator Hawkins spoke in favor of the motion.

MOTION

On motion of Senator Mullet, Senator Hasegawa was excused.

APPOINTMENT OF THOMAS R. STREDWICK

The President declared the question before the Senate to be the confirmation of Thomas R. Stredwick, Senate Gubernatorial Appointment No. 9113, as a member of the Big Bend Community College Board of Trustees.

The Secretary called the roll on the confirmation of Thomas R. Stredwick, Senate Gubernatorial Appointment No. 9113, as a member of the Big Bend Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

Thomas R. Stredwick, Senate Gubernatorial Appointment No. 9113, having received the constitutional majority was declared confirmed as a member of the Big Bend Community College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Schoesler moved that Donald R. McQuary, Senate Gubernatorial Appointment No. 9116, be confirmed as a member of the Walla Walla Community College Board of Trustees.

Senator Schoesler spoke in favor of the motion.

APPOINTMENT OF DONALD R. MCQUARY

The President declared the question before the Senate to be the confirmation of Donald R. McQuary, Senate Gubernatorial Appointment No. 9116, as a member of the Walla Walla Community College Board of Trustees.

The Secretary called the roll on the confirmation of Donald R. McQuary, Senate Gubernatorial Appointment No. 9116, as a member of the Walla Walla Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

Donald R. McQuary, Senate Gubernatorial Appointment No. 9116, having received the constitutional majority was declared confirmed as a member of the Walla Walla Community College Board of Trustees.

MOTION

On motion of Senator Mullet, Senator Hobbs was excused.

MOTION

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

SECOND READING

SENATE BILL NO. 5473, by Senators Saldaña and Nguyen

Making unemployment benefits accessible to persons with family responsibilities and other availability issues and making clarifying changes.

MOTION

On motion of Senator Saldaña, Substitute Senate Bill No. 5473 was substituted for Senate Bill No. 5473 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator King moved that the following floor amendment no. 969 by Senators King and Keiser be adopted:

THIRTY SECOND DAY, FEBRUARY 13, 2020

2020 REGULAR SESSION

On page 3, line 18, after "(4)" insert "While the employment security department is conducting the study, the department must meet at least three times with a representative of the largest business association and a representative from an organization which provides low-cost representation or free advice and counsel to people regarding their unemployment benefits to discuss the information gathered by the department.

(5)"

Senators King and Saldaña spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 969 by Senators King and Keiser on page 3, line 18 to Substitute Senate Bill No. 5473.

The motion by Senator King carried and floor amendment no. 969 was adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Engrossed Substitute Senate Bill No. 5473 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Saldaña, King, Keiser and Short 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. 5473.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5473 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 6; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Pedersen, Randall, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Honeyford, Muzzall, Rivers, Wagoner and Wilson, L.

Excused: Senators Ericksen, Fortunato and Hobbs

ENGROSSED SUBSTITUTE SENATE BILL NO. 5473, having received the 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. 5749, by Senators Mullet, Van De Wege and Kuderer

Concerning faith-based exemptions regarding criminal mistreatment of children and vulnerable adults.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, Senate Bill No. 5749 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator 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. 5749.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5749 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Ericksen, Fortunato and Hobbs

SENATE BILL NO. 5749, having received the 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. 6182, by Senators Padden, Becker, Stanford, Wilson, C. and Dhingra

Concerning closed captioning on televisions in places of public accommodation.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 6182 was substituted for Senate Bill No. 6182 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. 6182 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. 6182.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6182 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Ericksen, Fortunato and Hobbs

SUBSTITUTE SENATE BILL NO. 6182, having received the 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 Habib: "I do want to point out, I do want to point out an irony, actually, and I feel it is appropriate to do this. Which is that the irony is that, right now, those who would be watching our deliberations, of this body, would not be able to receive closed captioning for the deliberations, of the deliberations of this body because of well-insufficient funding or TVW not providing closed captioning and that accommodation. So I do think it is appropriate for senators to be aware of that. That there's not real-time closed captioning available, and has not been for many years, of legislative gavel-to-gavel coverage. And I do feel that that is problematic and some legislators are working on it this year."

SECOND READING

SENATE BILL NO. 6455, by Senators Liias, King, Billig, Nguyen, Cleveland, Hunt, Saldaña, Van De Wege, and Wilson, C.

Requiring default beverages for children's meals.

MOTION

On motion of Senator Liias, Substitute Senate Bill No. 6455 was substituted for Senate Bill No. 6455 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator O'Ban moved that the following floor amendment no. 975 by Senator O'Ban be adopted:

On page 1, line 12, after "milk;" strike "or"
On page 1, line 14, after "serving" insert "; or
(d) One hundred percent juice"

MOTION

Senator Padden moved that the following floor amendment no. 1030 by Senator Padden to the amendment by Senator O'Ban be adopted:

On page 1, line 3, after "percent" insert "apple"

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

Senator Liias spoke against adoption of the amendment to the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1030 by Senator Padden on page 1, line 3 to floor amendment no. 975.

The motion by Senator Padden did not carry and floor amendment no. 1030 was not adopted by voice vote.

MOTION

Senator Padden moved that the following floor amendment no. 1031 by Senator Padden to the amendment by Senator O'Ban be adopted:

On page 1, line 3, after "percent" insert "grape"

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

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, floor amendment no. 1031 by Senator Padden on page 1, line 3 to floor amendment no. 975 was withdrawn.

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, floor amendment no. 1032 by Senator Padden on page 1, line 3 to floor amendment no. 975 was withdrawn.

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, floor amendment no. 1032 by Senator Padden on page 1, line 3 to floor amendment no. 975 was withdrawn.

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, floor amendment no. 1033 by Senator Padden on page 1, line 3 to floor amendment no. 975 was withdrawn.

Senators O'Ban and Honeyford spoke in favor of adoption of floor amendment no. 975.

Senator Liias spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 975 by Senator O'Ban on page 1, line 12 to Substitute Senate Bill No. 6455.

The motion by Senator O'Ban did not carry and floor amendment no. 975 was not adopted by voice vote.

MOTION

Senator Muzzall moved that the following floor amendment no. 1016 by Senator Muzzall be adopted:

On page 1, line 12, after "Unflavored milk" insert "or chocolate milk"

Senators Muzzall and Becker spoke in favor of adoption of the amendment.

Senator Liias spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1016 by Senator Muzzall on page 1, line 12 to Substitute Senate Bill No. 6455.

The motion by Senator Muzzall did not carry and floor amendment no. 1016 was not adopted by voice vote.

MOTION

Senator Muzzall moved that the following floor amendment no. 1017 by Senator Muzzall be adopted:

On page 1, line 13, after "nondairy" insert "nut"

Senator Muzzall spoke in favor of adoption of the amendment.

Senator Liias spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1017 by Senator Muzzall on page 1, line 13 to Substitute Senate Bill No. 6455.

The motion by Senator Muzzall did not carry and floor amendment no. 1017 was not adopted by voice vote.

MOTION

THIRTY SECOND DAY, FEBRUARY 13, 2020

2020 REGULAR SESSION

Senator Becker moved that the following floor amendment no. 1028 by Senator Becker be adopted:

On page 2, after line 25, insert the following:

"NEW SECTION. Sec. 2. A new section is added to chapter 18.130 RCW to read as follows:

Any health care provider subject to this chapter providing prenatal care must provide prenatal nutritional education to pregnant women during at least one office visit."

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

On page 1, line 2 of the title, after "RCW;" insert "adding a new section to chapter 18.130 RCW;"

Senator Becker 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 floor amendment no. 1028 by Senator Becker on page 2, after line 25 to Substitute Senate Bill No. 6455.

The motion by Senator Becker did not carry and floor amendment no. 1028 was not adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 6455 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Liias spoke in favor of passage of the bill.

Senators Wagoner and Becker spoke against passage of the bill.

Senator Sheldon spoke on passage of the the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6455.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6455 and the bill passed the Senate by the following vote: Yeas, 25; Nays, 22; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Hawkins, Hobbs, Holy, Honeyford, King, Mullet, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Ericksen and Fortunato

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. 6357, by Senators Conway and King

Increasing the dollar limit of pull-tabs.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 6357 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway 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. 6357.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6357 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 3; Absent, 0; Excused, 2.

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

Voting nay: Senators Carlyle, Frockt and Lovelett

Excused: Senators Ericksen and Fortunato

SENATE BILL NO. 6357, having received the 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. 6032, by Senators Hawkins, Hobbs, King, Takko, Kuderer, Fortunato, Becker, Short, Sheldon, Warnick, Saldaña, Mullet, Zeiger, Wilson, C., Holy, Hunt, Wilson, L., Wellman, Padden, Hasegawa, Brown, Carlyle, Conway, Das, Dhingra, Ericksen, Lovelett, Muzzall, Nguyen, Pedersen, Rivers, Rolfes and Salomon

Creating a Washington apples special license plate.

The measure was read the second time.

MOTION

Senator Hawkins moved that the following floor amendment no. 973 by Senator Hawkins be adopted:

On page 14, after line 37, insert the following:

"NEW SECTION. Sec. 5. This act takes effect July 1, 2020."

On page 1, line 3 of the title, after "46.68.420;" strike the remainder of the title and insert "adding a new section to chapter 46.04 RCW; and providing an effective date."

Senator Hawkins spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 973 by Senator Hawkins on page 14, after line 37 to Senate Bill No. 6032.

The motion by Senator Hawkins carried and floor amendment no. 973 was adopted by voice vote.

MOTION

On motion of Senator Hawkins, the rules were suspended, Engrossed Senate Bill No. 6032 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hawkins, Saldaña and King 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. 6032.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6032 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Schoesler

Excused: Senators Ericksen and Fortunato

ENGROSSED SENATE BILL NO. 6032, having received the 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 Senate resumed consideration of Senate Bill No. 6313 which had been deferred earlier in the day.

SECOND READING

SENATE BILL NO. 6313, by Senators Liias, Kuderer, Hunt, Randall, Mullet, Keiser, Billig, Saldaña, Darneille, Hasegawa, Takko, Rolfes, McCoy, Stanford, Das, Dhingra, Lovelett, Nguyen, and Wilson, C.

Increasing opportunities for young voters.

On motion of Senator Liias, the motion by Senator Liias that Substitute Senate Bill No. 6313 be substituted for Senate Bill No. 6313 and the substitute bill be placed on the second reading calendar and read the second time was withdrawn.

MOTION

Senator Liias moved that the following striking floor amendment no. 1018 by Senator Liias be adopted:

Strike everything after the enacting clause and insert the following:

PART I

ACT NAME AND LEGISLATIVE FINDINGS

NEW SECTION. **Sec. 1.** This act may be known and cited as the voting opportunities through education act or the VOTE act.

NEW SECTION. **Sec. 2.** The legislature finds that robust participation by young voters in Washington state elections is critical to ensuring lifelong civic engagement. Research has shown that voting is a habitual behavior and that people who vote in the first three elections when they are eligible will likely vote for life. However, this is also the period of time when they are likely to face unique barriers to participate in the democratic process, including regularly changing their address, becoming

eligible shortly after an election, and exclusion from certain voter registration policies.

The legislature also finds that the period prior to election day is the most critical time to ensure ballot access for young voters. States with early voting have higher participation rates than states that do not and the use of early voting sites on college campuses helped produce record levels of participation for young voters in 2016 and 2018.

The legislature finds that students that have more opportunities to be registered and vote are more likely to participate. Limiting statutory voter registration opportunities on college campuses to days well in advance of election day is inconsistent with implementation of same-day voter registration. Making automatic voter registration unavailable to those registering for the first time denies young voters the same benefits as every other voter.

PART II

PERSONS ALLOWED TO VOTE IN PRIMARIES

Sec. 3. RCW 29A.08.210 and 2018 c 109 s 8 are each amended to read as follows:

An applicant for voter registration shall complete an application providing the following information concerning his or her qualifications as a voter in this state:

(1) The former address of the applicant if previously registered to vote;

(2) The applicant's full name;

(3) The applicant's date of birth;

(4) The address of the applicant's residence for voting purposes;

(5) The mailing address of the applicant if that address is not the same as the address in subsection (4) of this section;

(6) The sex of the applicant;

(7) The applicant's Washington state driver's license number, Washington state identification card number, or the last four digits of the applicant's social security number if he or she does not have a Washington state driver's license or Washington state identification card;

(8) A check box allowing the applicant to indicate that he or she is a member of the armed forces, national guard, or reserves, or that he or she is an overseas voter;

(9) A check box allowing the applicant to acknowledge that he or she is at least ~~((eighteen))~~ sixteen years old ~~((or is at least sixteen years old and will vote only after he or she reaches the age of eighteen))~~;

(10) Clear and conspicuous language, designed to draw the applicant's attention, stating that ~~((the))~~;

(a) The applicant must be a United States citizen in order to register to vote; and

(b) The applicant may register to vote if the applicant is at least sixteen years old and may vote if the applicant will be at least eighteen years old by the next general election, or is at least eighteen years old for special elections;

(11) A check box and declaration confirming that the applicant is a citizen of the United States;

(12) The following warning:

"If you knowingly provide false information on this voter registration form or knowingly make a false declaration about your qualifications for voter registration you will have committed a class C felony that is punishable by imprisonment for up to five years, a fine of up to ten thousand dollars, or both."

(13) The oath required by RCW 29A.08.230 and a space for the applicant's signature; and

(14) Any other information that the secretary of state determines is necessary to establish the identity of the applicant and prevent duplicate or fraudulent voter registrations.

This information shall be recorded on a single registration form to be prescribed by the secretary of state.

THIRTY SECOND DAY, FEBRUARY 13, 2020

2020 REGULAR SESSION

Sec. 4. RCW 29A.08.230 and 2013 c 11 s 14 are each amended to read as follows:

For all voter registrations, the registrant shall sign the following oath:

"I declare that the facts on this voter registration form are true. I am a citizen of the United States, I will have lived at this address in Washington for at least thirty days immediately before the next election at which I vote, I ~~((will be))~~ am at least ~~((eighteen))~~ sixteen years old ~~((when I vote))~~, I am not disqualified from voting due to a court order, and I am not under department of corrections supervision for a Washington felony conviction."

Sec. 5. RCW 29A.08.330 and 2019 c 391 s 6 are each amended to read as follows:

(1) The secretary of state shall prescribe the method of voter registration for each designated agency. The agency shall use either the state voter registration by mail form with a separate declaration form for the applicant to indicate that he or she declines to register at this time, or the agency may use a separate form approved for use by the secretary of state.

(2) The person providing service at the agency shall offer voter registration services to every client whenever he or she applies for service or assistance and with each renewal, recertification, or change of address. The person providing service shall give the applicant the same level of assistance with the voter registration application as is offered to fill out the agency's forms and documents, including information about age and citizenship requirements for voter registration.

(3) The person providing service at the agency shall determine if the prospective applicant wants to register to vote or update his or her voter registration by asking the following question:

"Do you want to register or sign up to vote or update your voter registration?"

If the applicant chooses to register, sign up, or update a registration, the service agent shall ask the following:

(a) "Are you a United States citizen?"

(b) "Are you at least ~~((eighteen))~~ sixteen years old ~~((or are you at least sixteen years old and will you vote only after you turn eighteen))~~?"

If the applicant answers in the affirmative to both questions, the agent shall then provide the applicant with a voter registration form and instructions and shall record that the applicant has requested to sign up to vote, register to vote, or update a voter registration. If the applicant answers in the negative to either question, the agent shall not provide the applicant with a voter registration application.

(4) If an agency uses a computerized application process, it may, in consultation with the secretary of state, develop methods to capture simultaneously the information required for voter registration during a person's computerized application process.

(5) Each designated agency shall transmit the applications to the secretary of state or appropriate county auditor within three business days and must be received by the election official by the required voter registration deadline.

(6) Information that is otherwise disclosable under this chapter cannot be disclosed on the future voter until the person reaches eighteen years of age, except for the purpose of processing and delivering ballots.

Sec. 6. RCW 29A.08.810 and 2011 c 10 s 20 are each amended to read as follows:

(1) Registration of a person as a voter is presumptive evidence of his or her right to vote. A challenge to the person's right to vote must be based on personal knowledge of one of the following:

(a) The challenged voter has been convicted of a felony and the voter's civil rights have not been restored;

(b) The challenged voter has been judicially declared ineligible to vote due to mental incompetency;

(c) The challenged voter does not live at the residential address provided, in which case the challenger must either:

(i) Provide the challenged voter's actual residence on the challenge form; or

(ii) Submit evidence that he or she exercised due diligence to verify that the challenged voter does not reside at the address provided and to attempt to contact the challenged voter to learn the challenged voter's actual residence, including that the challenger personally:

(A) Sent a letter with return service requested to the challenged voter's residential address provided, and to the challenged voter's mailing address, if provided;

(B) Visited the residential address provided and contacted persons at the address to determine whether the voter resides at the address and, if not, obtained and submitted with the challenge form a signed affidavit subject to the penalties of perjury from a person who owns or manages property, resides, or is employed at the address provided, that to his or her personal knowledge the challenged voter does not reside at the address as provided on the voter registration;

(C) Searched local telephone directories, including online directories, to determine whether the voter maintains a telephone listing at any address in the county;

(D) Searched county auditor property records to determine whether the challenged voter owns any property in the county; and

(E) Searched the statewide voter registration database to determine if the voter is registered at any other address in the state;

(d) The challenged voter will not be eighteen years of age by the next general election; or

(e) The challenged voter is not a citizen of the United States.

(2) A person's right to vote may be challenged by another registered voter or the county prosecuting attorney.

(3) The challenger must file a signed affidavit subject to the penalties of perjury swearing that, to his or her personal knowledge and belief, having exercised due diligence to personally verify the evidence presented, the challenged voter either is not qualified to vote or does not reside at the address given on his or her voter registration record based on one of the reasons allowed in subsection (1) of this section. The challenger must provide the factual basis for the challenge, including any information required by subsection (1)(c) of this section, in the signed affidavit. The challenge may not be based on unsupported allegations or allegations by anonymous third parties. All documents pertaining to the challenge are public records.

(4) Challenges based on a felony conviction under RCW 29A.08.520 must be heard according to RCW 29A.08.520 and rules adopted by the secretary of state.

PART III

AUTOMATIC VOTER SIGN-UP TO REGISTER

Sec. 7. RCW 29A.08.355 and 2018 c 110 s 102 are each amended to read as follows:

(1) The department of licensing ~~((shall implement an automatic voter registration system so that))~~ must allow a person age eighteen years or older ~~((who))~~ to be registered to vote or update voter registration information by automated process at the time of registration, renewal, or change of address if:

(a) The person meets requirements for voter registration ~~((and));~~

(b) The person has received or is renewing an enhanced driver's license or identocard issued under RCW 46.20.202 or is changing the address for an existing enhanced driver's license or identocard

pursuant to RCW 46.20.205 (~~may be registered to vote or update voter registration information at the time of registration, renewal, or change of address, by automated process if the~~); and

(c) The department of licensing record associated with the applicant contains ((the));

(i) The data required to determine whether the applicant meets requirements for voter registration under RCW 29A.08.010(~~;~~ other));

(ii) Other information as required by the secretary of state(~~and includes a~~); and

(iii) A signature image.

(2) The department of licensing must allow a person sixteen or seventeen years of age to be signed up to register to vote by automated process at the time of registration, renewal, or change of address if:

(a) The person meets requirements to sign up to register to vote;

(b) The person has received or is renewing an enhanced driver's license or identicard issued under RCW 46.20.202 or is changing the address for an existing enhanced driver's license or identicard pursuant to RCW 46.20.205; and

(c) The department of licensing record associated with the applicant contains:

(i) The data required to determine whether the applicant meets the requirements for voter registration under RCW 29A.08.210, other than age;

(ii) Other information as required by the secretary of state; and

(iii) A signature image.

(3) The person must be informed that his or her record will be used for voter registration and offered an opportunity to decline to register.

Sec. 8. RCW 46.20.155 and 2018 c 109 s 15 are each amended to read as follows:

(1) Before issuing an original license or identicard or renewing a license or identicard under this chapter, the licensing agent shall determine if the applicant wants to register to vote or update his or her voter registration by asking the following question:

"Do you want to register or sign up to vote or update your voter registration?"

If the applicant chooses to register, sign up, or update a registration, the agent shall ask the following:

(1) "Are you a United States citizen?"

(2) "Are you at least ~~((eighteen))~~ sixteen years old ~~((or are you at least sixteen years old and will you vote only after you turn eighteen))~~?"

If the applicant answers in the affirmative to both questions, the agent shall then submit the registration, sign up form, or update. If the applicant answers in the negative to either question, the agent shall not submit an application. Information that is otherwise disclosable under chapter 29A.08 RCW cannot be disclosed on the future voter until the person reaches eighteen years of age, except for the purpose of processing and delivering ballots.

(2) The department shall establish a procedure that substantially meets the requirements of subsection (1) of this section when permitting an applicant to renew a license or identicard by mail or by electronic commerce.

Sec. 9. RCW 28A.230.094 and 2018 c 127 s 2 are each amended to read as follows:

(1)(a) Beginning with or before the 2020-21 school year, each school district that operates a high school must provide a mandatory one-half credit stand-alone course in civics for each high school student. Except as provided by (c) of this subsection, civics content and instruction embedded in other social studies courses do not satisfy the requirements of this subsection.

(b) Credit awarded to students who complete the civics course must be applied to course credit requirements in social studies that are required for high school graduation.

(c) Civics content and instruction required by this section may be embedded in social studies courses that offer students the opportunity to earn both high school and postsecondary credit.

(2) The content of the civics course must include, but is not limited to:

(a) Federal, state, tribal, and local government organization and procedures;

(b) Rights and responsibilities of citizens addressed in the Washington state and United States Constitutions;

(c) Current issues addressed at each level of government;

(d) Electoral issues, including elections, ballot measures, initiatives, and referenda;

(e) The study and completion of the civics component of the federally administered naturalization test required of persons seeking to become naturalized United States citizens; and

(f) The importance in a free society of living the basic values and character traits specified in RCW 28A.150.211.

(3) By September 1, 2020, the office of the superintendent of public instruction, in collaboration with the Washington state association of county auditors and a 501(c)(3) nonprofit organization engaged in voter outreach and increasing voter participation, shall identify and make available civics materials and resources for use in courses under this section. The materials and resources must be posted on the office of the superintendent of public instruction's web site.

PART IV

STUDENT ENGAGEMENT HUBS

NEW SECTION. **Sec. 10.** A new section is added to chapter 29A.40 RCW to read as follows:

(1) Each state university, regional university, and The Evergreen State College as defined in RCW 28B.10.016 and each higher education campus as defined in RCW 28B.45.012 shall open a student engagement hub on its campus. The student engagement hub may be open during business hours beginning eight days before, and ending at 8:00 p.m. on the day of, the general election. All student engagement hubs must provide replacement ballots pursuant to RCW 29A.40.070(3). Upon request of the student government organization to the administration and the county auditor, the student engagement hub at a state university, regional university, or The Evergreen State College as defined in RCW 28B.10.016 must allow voters to register in person pursuant to RCW 29A.08.140(1)(b) and provide voter registration materials.

(2) Each institution shall contract with the county auditor for the operation of a student engagement hub under this section.

PART V

VOTERS' PAMPHLETS

Sec. 11. RCW 29A.32.031 and 2013 c 283 s 2 are each amended to read as follows:

The voters' pamphlet published or distributed under RCW 29A.32.010 must contain:

(1) Information about each measure for an advisory vote of the people and each ballot measure initiated by or referred to the voters for their approval or rejection as required by RCW 29A.32.070;

(2) In even-numbered years, statements, if submitted, from candidates for the office of president and vice president of the United States, United States senator, United States representative, governor, lieutenant governor, secretary of state, state treasurer, state auditor, attorney general, commissioner of public lands, superintendent of public instruction, insurance commissioner, state senator, state representative, justice of the supreme court, judge of the court of appeals, or judge of the superior court.

THIRTY SECOND DAY, FEBRUARY 13, 2020

2020 REGULAR SESSION

Candidates may also submit campaign contact information and a photograph not more than five years old in a format that the secretary of state determines to be suitable for reproduction in the voters' pamphlet;

(3) In odd-numbered years, if any office voted upon statewide appears on the ballot due to a vacancy, then statements and photographs for candidates for any vacant office listed in subsection (2) of this section must appear;

(4) Contact information for the public disclosure commission established under RCW 42.17A.100, including the following statement: "For a list of the people and organizations that donated to state and local candidates and ballot measure campaigns, visit www.pdc.wa.gov." The statement must be placed in a prominent position, such as on the cover or on the first two pages of the voters' pamphlet. The secretary of state may substitute such language as is necessary for accuracy and clarity and consistent with the intent of this section;

(5) Contact information for major political parties;

(6) A brief statement explaining the deletion and addition of language for proposed measures under RCW 29A.32.080; ~~((and))~~

(7) A list of all student engagement hubs as designated under section 10 of this act; and

(8) Any additional information pertaining to elections as may be required by law or in the judgment of the secretary of state is deemed informative to the voters.

Sec. 12. RCW 29A.32.241 and 2016 c 83 s 2 are each amended to read as follows:

(1) The local voters' pamphlet shall include but not be limited to the following:

(a) Appearing on the cover, the words "official local voters' pamphlet," the name of the jurisdiction producing the pamphlet, and the date of the election or primary;

(b) A list of jurisdictions that have measures or candidates in the pamphlet;

(c) Information on how a person may register to vote and obtain a ballot;

(d) The text of each measure accompanied by an explanatory statement prepared by the prosecuting attorney for any county measure or by the attorney for the jurisdiction submitting the measure if other than a county measure. All explanatory statements for city, town, or district measures not approved by the attorney for the jurisdiction submitting the measure shall be reviewed and approved by the county prosecuting attorney or city attorney, when applicable, before inclusion in the pamphlet;

(e) The arguments for and against each measure submitted by committees selected pursuant to RCW 29A.32.280; ~~((and))~~

(f) A list of all student engagement hubs in the county as designated under section 10 of this act; and

(g) For partisan primary elections, information on how to vote the applicable ballot format and an explanation that minor political party candidates and independent candidates will appear only on the general election ballot.

(2) The county auditor's name may not appear in the local voters' pamphlet in his or her official capacity if the county auditor is a candidate for office during the same year. His or her name may only be included as part of the information normally included for candidates.

**PART VI
HARMONIZING PROVISIONS**

Sec. 13. RCW 29A.04.061 and 2003 c 111 s 111 are each amended to read as follows:

"Elector" means any person who possesses all of the qualifications to vote under Article VI of the state Constitution, including persons who are seventeen years of age at the primary

election or presidential primary election but who will be eighteen years of age by the general election.

Sec. 14. RCW 29A.08.110 and 2019 c 391 s 5 are each amended to read as follows:

(1) For persons registering under RCW 29A.08.120, 29A.08.123, 29A.08.170, 29A.08.330, 29A.08.340, 29A.08.362, and 29A.08.365, an application is considered complete only if it contains the information required by RCW 29A.08.010. The applicant is considered to be registered to vote as of ~~((the))~~;

(a) The original date of receipt~~((or when))~~;

(b) When the person will be at least eighteen years old by the next election; or

(c) When the person will be at least seventeen years old by the next primary election or presidential primary election and eighteen years old by the general election, whichever is applicable.

(2) As soon as practicable, the auditor shall record the appropriate precinct identification, taxing district identification, and date of registration on the voter's record in the state voter registration list. The secretary of state shall, pursuant to RCW 29A.04.611, establish procedures to enable new or updated voter registrations to be recorded on an expedited basis. Any mailing address provided shall be used only for mail delivery purposes, and not for precinct assignment or residency purposes. Within sixty days after the receipt of an application or transfer, the auditor shall send to the applicant, by first-class nonforwardable mail, an acknowledgment notice identifying the registrant's precinct and containing such other information as may be required by the secretary of state. The postal service shall be instructed not to forward a voter registration card to any other address and to return to the auditor any card which is not deliverable.

~~((2))~~ (3) If an application is not complete, the auditor shall promptly mail a verification notice to the applicant. The verification notice shall require the applicant to provide the missing information. If the applicant provides the required information within forty-five days, the applicant shall be registered to vote as of the original date of application. The applicant shall not be placed on the official list of registered voters until the application is complete.

~~((3))~~ (4) Once a future voter is no longer in pending status, as described in RCW 29A.08.615, his or her application to sign up to register to vote is no longer pending and is subject to this section.

Sec. 15. RCW 29A.08.170 and 2018 c 109 s 5 are each amended to read as follows:

(1) A person may sign up to register to vote if he or she is sixteen or seventeen years of age, as part of the future voter program.

(2) A person who signs up to register to vote may not vote until reaching eighteen years of age ~~((and his or her name))~~ unless the person is seventeen years of age at the primary election or presidential primary election and will be eighteen years of age by the general election. A person who signs up to register to vote may not be added to the statewide voter registration database list of voters until such time as he or she will be ~~((eighteen years of age by))~~ eligible to vote in the next election.

Sec. 16. RCW 29A.08.172 and 2018 c 109 s 6 are each amended to read as follows:

(1) A person who has attained sixteen years of age may sign up to register to vote, as part of the future voter program, by submitting a voter registration application by mail.

(2) The applicant must attest to the truth of the information provided on the application by affirmatively accepting the information as true.

(3) If signing up to register by mail, the person must provide a signature for voter registration purposes.

(4) The applicant must affirmatively acknowledge that he or she will not vote in a special or general election until his or her eighteenth birthday.

Sec. 17. RCW 29A.08.174 and 2018 c 109 s 14 are each amended to read as follows:

(1) A person who has attained sixteen years of age and has a valid Washington state driver's license or identicard may sign up to register to vote as part of the future voter program, by submitting a voter registration application electronically on the secretary of state's web site.

(2) The applicant must attest to the truth of the information provided on the application by affirmatively accepting the information as true.

(3) If signing up to register electronically, the applicant must affirmatively assent to the use of his or her driver's license or identicard signature for voter registration purposes.

(4) The applicant must affirmatively acknowledge that he or she will not vote in a special or general election until his or her eighteenth birthday, and will only vote in a primary election or presidential primary election if he or she will be eighteen years of age by the general election.

(5) For each electronic registration application, the secretary of state must obtain a digital copy of the applicant's driver's license or identicard signature from the department of licensing.

(6) The secretary of state may employ additional security measures to ensure the accuracy and integrity of voter preregistration applications submitted electronically.

Sec. 18. RCW 29A.08.359 and 2019 c 391 s 8 are each amended to read as follows:

(1)(a) For persons age eighteen years and older registering under RCW 29A.08.355(1), an application is considered complete only if it contains the information required by RCW 29A.08.010 and other information as required by the secretary of state. The applicant is considered to be registered to vote as of the original date of issuance or renewal or date of change of address of an enhanced driver's license or identicard issued under RCW 46.20.202 or change of address for an existing enhanced driver's license or identicard pursuant to RCW 46.20.205.

(b) For persons sixteen or seventeen years of age registering under RCW 29A.08.355(2), an application is considered complete only if it contains the information required by RCW 29A.08.010 and other information as required by the secretary of state. The applicant is considered to be registered to vote as of the date set forth in RCW 29A.08.110(1).

(c) The information must be transmitted in an expedited manner and must be received by an election official by the required voter registration deadline. The auditor shall record the appropriate precinct identification, taxing district identification, and date of registration on the voter's record in the state voter registration list. Any mailing address provided shall be used only for mail delivery purposes, and not for precinct assignment or residency purposes. Within sixty days after the receipt of an application or transfer, the auditor shall send to the applicant, by first-class nonforwardable mail, an acknowledgment notice identifying the registrant's precinct and containing such other information as may be required by the secretary of state. The United States postal service shall be instructed not to forward a voter registration card to any other address and to return to the auditor any card which is not deliverable.

~~((b))~~ (d) An auditor may use other means to communicate with potential and registered voters such as, but not limited to, email, phone, or text messaging. The alternate form of communication must not be in lieu of the first-class mail

requirements. The auditor shall act in compliance with all voter notification processes established in federal law.

(2) If an application is not complete, the auditor shall promptly mail a verification notice to the applicant. The verification notice must require the applicant to provide the missing information. If the applicant provides the required information within forty-five days, the applicant must be registered to vote. The applicant must not be placed on the official list of registered voters until the application is complete.

(3) If the prospective registration applicant declines to register to vote or the information provided by the department of licensing does not indicate citizenship, the information must not be included on the list of registered voters.

(4) The department of licensing is prohibited from sharing data files used by the secretary of state to certify voters registered through the automated process outlined in RCW 29A.08.355 with any federal agency, or state agency other than the secretary of state. Personal information supplied for the purposes of obtaining a driver's license or identicard is exempt from public inspection pursuant to RCW 42.56.230.

Sec. 19. RCW 29A.80.041 and 2009 c 106 s 3 are each amended to read as follows:

Any member of a major political party who is a registered voter in the precinct and who will be at least eighteen years old by the date of the precinct committee officer election may file his or her declaration of candidacy as prescribed under RCW 29A.24.031 with the county auditor for the office of precinct committee officer of his or her party in that precinct. When elected at the primary, the precinct committee officer shall serve so long as the committee officer remains an eligible voter in that precinct.

Sec. 20. RCW 29A.84.140 and 2018 c 109 s 13 are each amended to read as follows:

A person who knows that he or she does not possess the legal qualifications of a voter and who registers to vote is guilty of a class C felony. This section does not apply to persons age sixteen or seventeen signing up to register to vote as authorized under RCW 29A.08.170 or 29A.08.355(2).

Sec. 21. RCW 46.20.156 and 2018 c 110 s 105 are each amended to read as follows:

For persons eighteen years of age or older who meet requirements for voter registration and persons sixteen or seventeen years of age who meet requirements to sign up to register to vote, who have been issued or are renewing an enhanced driver's license or identicard under RCW 46.20.202 or applying for a change of address for an existing enhanced driver's license or identicard pursuant to RCW 46.20.205, and have not declined to register to vote, the department shall produce and transmit to the secretary of state the following information from the records of each individual: The name, address, date of birth, gender of the applicant, the driver's license number, signature image, and the date on which the application was submitted. The department and the secretary of state shall process information as an automated application on a daily basis.

PART VII OTHER PROVISIONS

Sec. 22. RCW 29A.08.140 and 2019 c 391 s 4 are each amended to read as follows:

(1) In order to vote in any primary, special election, or general election, a person who is not registered to vote in Washington must:

(a) Submit a registration application that is received by an election official no later than eight days before the day of the primary, special election, or general election. For purposes of this subsection (1)(a), "received" means: (i) Being physically received by an election official by the close of business of the required

THIRTY SECOND DAY, FEBRUARY 13, 2020

2020 REGULAR SESSION

deadline; or (ii) for applications received online or electronically, by midnight, of the required deadline; or

(b) Register in person at ~~((the))~~ a county auditor's office, the division of elections if in a separate city from the county auditor's office, a voting center, a student engagement hub, or other location designated by the county auditor ~~((in his or her county of residence))~~ no later than 8:00 p.m. on the day of the primary, special election, or general election.

(2) ~~((a))~~ (a) In order to change a residence address for voting in any primary, special election, or general election, a person who is already registered to vote in Washington may update his or her registration by:

~~((a) - (i))~~ (i) Submitting an address change using a registration application or making notification via any non-in-person method that is received by election officials no later than eight days before the day of the primary, special election, or general election; or

~~((b) - (ii))~~ (ii) Appearing in person, at ~~((the))~~ a county auditor's office, the division of elections if in a separate city from the county auditor's office, a voting center, or other location designated by the county auditor ~~((in his or her county of residence))~~, no later than 8:00 p.m. on the day of the primary, special election, or general election to be in effect for that primary, special election, or general election.

~~((e) - (b))~~ (b) A registered voter who fails to update his or her residential address by this deadline may vote according to his or her previous registration address.

(3) To register or update a voting address in person at ~~((the))~~ a county auditor's office, a voting center, or other location designated by the county auditor, a person must appear in person at ~~((the))~~ a county auditor's office, a voting center, or other location designated by the county auditor ~~((in the county in which the person resides))~~ at a time when the facility is open and complete the voter registration application by providing the information required by RCW 29A.08.010.

NEW SECTION. Sec. 23. Subject to the availability of amounts appropriated for this specific purpose, the secretary of state may provide grants to county auditors to implement section 10 of this act.

NEW SECTION. Sec. 24. Sections 3, 5, 6, and 13 through 17 of this act take effect January 1, 2022.

NEW SECTION. Sec. 25. Sections 7, 8, 18, 20, and 21 of this act take effect September 1, 2023.

On page 1, line 2 of the title, after "amending", strike the remainder of the title and insert "RCW 29A.08.210, 29A.08.230, 29A.08.230, 29A.08.330, 29A.08.810, 29A.08.355, 46.20.155, 28A.230.094, 29A.32.031, 29A.32.241, 29A.04.061, 29A.08.110, 29A.08.170, 29A.08.172, 29A.08.174, 29A.08.359, 29A.80.041, 29A.84.140, 46.20.156, and 29A.08.140; adding a new section to chapter 29A.40 RCW; creating new sections; and providing effective dates."

MOTION

Senator Zeiger moved that the following floor amendment no. 1025 by Senator Zeiger be adopted:

On page 2, beginning on line 6, strike all material down through line 7

Beginning on page 2, line 8, strike sections 3, 4, 5, and 6

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

Beginning on page 13, line 19, strike all of sections 13, 14, 15, 16, and 17

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

On page 20, beginning on line 32, strike all of section 24

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

On page 21, line 7, after ""RCW", strike "29A.08.210, 29A.08.230, 29A.08.230, 29A.08.330, 29A.08.810,"

On page 21, line 8, after "29A.32.241," strike "29A.04.061, 29A.08.110, 29A.08.170, 29A.08.172, 29A.08.174,"

On page 21, line 10, after "sections;" strike all material through "dates" on line 11 and insert "and providing an effective date"

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

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

The President declared the question before the Senate to be the adoption of floor amendment no. 1025 by Senator Zeiger on page 2, line 6 to striking floor amendment no. 1018.

The motion by Senator Zeiger did not carry and floor amendment no. 1025 was not adopted by voice vote.

MOTION

Senator Zeiger moved that the following floor amendment no. 1023 by Senator Zeiger be adopted:

On page 10, beginning on line 22, strike all of section 10 and insert the following:

NEW SECTION. Sec. 10. A new section is added to chapter 29A.40 RCW to read as follows:

(1) Each public university campus described in chapter 28B.45 RCW with an enrollment of five thousand students or greater shall open a student engagement hub on its campus during a presidential general election, beginning five days prior to the deadline to register to vote electronically under RCW 29A.08.140(1)(a). The student engagement hub must be open during business hours through the deadline to register to vote electronically under RCW 29A.08.140(1)(a). The student engagement hub must provide access to the voter registration portal to facilitate student self-service for registration, registration changes, and replacement ballots. A student engagement hub is not a voting center.

(2) Upon request of the student government organization to the administration and the county auditor, the state universities, regional universities, and The Evergreen State College as defined in RCW 28B.10.016 and excluding university campuses described in chapter 28B.45 RCW shall open a student engagement hub on its campus. The student engagement hub shall provide the services described in subsection (1) of this section.

Senators Zeiger, Short and Padden spoke in favor of adoption of the amendment to the striking amendment.

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

The President declared the question before the Senate to be the adoption of floor amendment no. 1023 by Senator Zeiger on page 10, line 22 to striking floor amendment no. 1018.

The motion by Senator Zeiger did not carry and floor amendment no. 1023 was not adopted by voice vote.

MOTION

Senator Zeiger moved that the following floor amendment no. 1024 by Senator Zeiger be adopted:

On page 11, line 5, after "section.", insert " The institution shall pay the full cost of operating a student engagement center under this section."

On page 20, beginning on line 27, strike all of section 23

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

On page 21, after line 2, insert the following:

NEW SECTION. Sec. 26. If specific funding for the purposes of sections 10 through 12 and 22 of this act, referencing sections 10 through 12 and 22 of this act by bill or chapter number and section number, is not provided by June 30, 2020, in the omnibus appropriations act, this act is null and void.

Senators Zeiger and Schoesler spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Hunt spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1024 by Senator Zeiger on page 11, line 5 to striking floor amendment no. 1018.

The motion by Senator Zeiger did not carry and floor amendment no. 1024 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1018 by Senator Liias Senate Bill No. 6313.

The motion by Senator Liias carried and striking floor amendment no. 1018 was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Senate Bill No. 6313 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, Kuderer, Dhingra, Frockt, Hunt and Nguyen spoke in favor of passage of the bill.

Senators Zeiger, Schoesler, Walsh, Padden, Hawkins and Wagoner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6313.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6313 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 19; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Ericksen and Fortunato

ENGROSSED SENATE BILL NO. 6313, having received the 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, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Brown moved that Kedrich Jackson, Senate gubernatorial Appointment No. 9114, be confirmed as a member of the Columbia Basin College Board of Trustees.

Senator Brown spoke in favor of the motion.

APPOINTMENT OF KEDRICH JACKSON

The President declared the question before the Senate to be the confirmation of Kedrich Jackson, Senate gubernatorial Appointment No. 9114, as a member of the Columbia Basin College Board of Trustees.

The Secretary called the roll on the confirmation of Kedrich Jackson, Senate gubernatorial Appointment No. 9114, as a member of the Columbia Basin College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

Kedrich Jackson, Senate gubernatorial Appointment No. 9114, having received the constitutional majority was declared confirmed as a member of the Columbia Basin College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Cleveland moved that Rekah T. Strong, Senate gubernatorial Appointment No. 9120, be confirmed as a member of the Clark College Board of Trustees.

Senator Cleveland spoke in favor of the motion.

APPOINTMENT OF REKAH T. STRONG

The President declared the question before the Senate to be the confirmation of Rekah T. Strong, Senate gubernatorial Appointment No. 9120, as a member of the Clark College Board of Trustees.

The Secretary called the roll on the confirmation of Rekah T. Strong, Senate gubernatorial Appointment No. 9120, as a member of the Clark College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban,

THIRTY SECOND DAY, FEBRUARY 13, 2020

2020 REGULAR SESSION

Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Ericksen and Fortunato

Rekah T. Strong, Senate Gubernatorial Appointment No. 9120, having received the constitutional majority was declared confirmed as a member of the Clark College Board of Trustees.

MOTION

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

SECOND READING

SENATE BILL NO. 6122, by Senators Keiser, Kuderer, and Wilson, C.

Protecting temporary workers.

MOTION

On motion of Senator Keiser, Substitute Senate Bill No. 6122 was substituted for Senate Bill No. 6122 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Schoesler moved that the following floor amendment no. 1021 by Senator Schoesler be adopted:

On page 1, line 16, after "staffing agency" strike "and worksite employer"

Senators Schoesler and Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1021 by Senator Schoesler on page 1, line 16 to Substitute Senate Bill No. 6122.

The motion by Senator Schoesler carried and floor amendment no. 1021 was adopted by voice vote.

MOTION

Senator Rivers moved that the following floor amendment no. 1022 by Senator Rivers be adopted:

On page 1, line 17, after "request;" strike "and"

On page 1, line 18, after "employer" insert "; and

(d) Provide the department's hotline number for the employee to call to report safety hazards and concerns as part of the employment materials provided to the employee"

Senators Rivers and Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1022 by Senator Rivers on page 1, line 17 to Substitute Senate Bill No. 6122.

The motion by Senator Rivers carried and floor amendment no. 1022 was adopted by voice vote.

MOTION

Senator King moved that the following floor amendment no. 1037 by Senator King be adopted:

On page 1, line 17, after "request;" strike "and"

On page 1, line 18, after "employer" insert "; and

(d) Inform the employee who the employee should report safety concerns to at the workplace"

Senators King and Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1037 by Senator King on page 1, after line 17 to Substitute Senate Bill No. 6122.

The motion by Senator King carried and floor amendment no. 1037 was adopted by voice vote.

MOTION

Senator Rivers moved that the following floor amendment no. 1026 by Senator Rivers be adopted:

On page 2, line 12, after "employee" insert "within forty-eight hours of providing the training"

Senators Rivers and Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1026 by Senator Rivers on page 2, line 12 to Substitute Senate Bill No. 6122.

The motion by Senator Rivers carried and floor amendment no. 1026 was adopted by voice vote.

MOTION

Senator Rivers moved that the following floor amendment no. 1027 by Senator Rivers be adopted:

On page 2, line 13, after "job tasks" insert "and new hazards may be encountered"

Senators Rivers and Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1027 by Senator Rivers on page 2, line 13 to Substitute Senate Bill No. 6122.

The motion by Senator Rivers carried and floor amendment no. 1027 was adopted by voice vote.

MOTION

Senator King moved that the following floor amendment no. 1038 by Senator King be adopted:

On page 3, after line 7, insert the following:

"(9) A staffing agency or worksite employer may not retaliate against a staffing agency employee who reports safety concerns."

Senators King and Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1038 by Senator King on page 3, after line 7 to Substitute Senate Bill No. 6122.

The motion by Senator King carried and floor amendment no. 1038 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 6122 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and 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. 6122.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6122 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6122, having received the 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 5:17 p.m., on motion of Senator Liias, the Senate adjourned until 9:00 o'clock a.m. Friday, February 14, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

THIRTY THIRD DAY**MORNING SESSION**

Senate Chamber, Olympia
Friday, February 14, 2020

The Senate was called to order at 9:03 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present with the exceptions of Senators Ericksen and Fortunato.

The Sergeant at Arms Color Guard consisting of Pages Miss Dani Madan and Mr. Dylan Kleis, presented the Colors. Page, Mr. Fynn Goodin led the Senate in the Pledge of Allegiance. The prayer was offered by Pastor Doug Knutson-Kelter of Gloria Dei Lutheran Church, Olympia.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

SB 6689 by Senators Stanford, Wellman and Kuderer

AN ACT Relating to protecting consumers against mechanisms of addiction in certain video games; adding a new chapter to Title 19 RCW; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SHB 1009 by House Committee on State Government & Tribal Relations (originally sponsored by Dolan, Kirby and Jinks)

AN ACT Relating to the state auditor's duties and procedures; amending RCW 43.09.185, 43.09.186, 43.09.230, and 43.09.420; repealing RCW 43.09.265, 43.09.430, 43.09.435, 43.09.440, 43.09.445, 43.09.450, 43.09.455, 43.09.460, and 43.88.162; and repealing 2012 c 164 s 709, 2012 c 1 s 201, and 2005 c 385 s 1 (uncodified).

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

HB 1079 by Representatives Pollet, Kloba, Stanford and Frame

AN ACT Relating to adding a faculty member to the board of regents at the research universities; and amending RCW 28B.20.100 and 28B.30.100.

Referred to Committee on Higher Education & Workforce Development.

EHB 1187 by Representatives Dent, Blake, Chandler, Kretz, Schmick and Bergquist

AN ACT Relating to revising hydraulic project eligibility standards under RCW 77.55.181 for conservation district-sponsored fish habitat enhancement projects; and amending RCW 77.55.181.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1255 by House Committee on Transportation (originally sponsored by Lovick, Orwall, Sells, Stanford, Dufault and Irwin)

AN ACT Relating to creating Patches pal special license plates; reenacting and amending RCW 46.17.220, 46.18.200, and 46.68.420; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

ESHB 1261 by House Committee on Environment & Energy (originally sponsored by Peterson, Fitzgibbon, Stanford, Tarleton, Ortiz-Self, Lekanoff, Doglio, Macri and Pollet)

AN ACT Relating to ensuring compliance with the federal clean water act by prohibiting certain discharges into waters of the state; amending RCW 77.55.021; reenacting and amending RCW 77.55.011; adding a new section to chapter 90.48 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

HB 1278 by Representatives Hudgins, Valdez, Sells, Bergquist, Appleton, Slatter, Wylie, Santos and Doglio

AN ACT Relating to room and board for college bound scholarship students; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education & Workforce Development.

SHB 1293 by House Committee on Appropriations (originally sponsored by Tharinger, Blake, Kretz and Mosbrucker)

AN ACT Relating to the distribution of monetary penalties to local courts and state agencies paid for failure to comply with discover pass requirements; and amending RCW 7.84.100.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 1347 by Representatives Barkis, Kirby, Volz, Vick and Springer

AN ACT Relating to vehicle reseller permits; amending RCW 82.12.045; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Ways & Means.

ESHB 1551 by House Committee on Health Care & Wellness (originally sponsored by Cody, Stonier, Fey, Appleton and Pollet)

AN ACT Relating to modernizing the control of certain communicable diseases; amending RCW 70.24.015,

70.24.017, 70.24.024, 70.24.080, 70.24.110, 70.24.120, 70.24.130, 70.24.220, 70.24.290, 70.24.325, 70.24.340, 70.24.360, 70.24.370, 9A.36.011, 18.35.040, 49.44.180, 49.60.172, 70.02.220, 43.150.050, and 74.39.005; adding new sections to chapter 70.24 RCW; repealing RCW 70.24.095, 70.24.100, 70.24.107, 70.24.125, 70.24.140, 70.24.200, 70.24.210, 70.24.240, 70.24.250, 70.24.260, 70.24.270, 70.24.280, 70.24.300, 70.24.310, 70.24.320, 70.24.350, 70.24.380, 70.24.400, and 70.24.410; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

3SHB 1660 by House Committee on Education (originally sponsored by Bergquist, Harris, Hudgins, Young, Tarleton, Ybarra, Slatter, Santos, Jinkins, Doglio, Fey, Leavitt, Ormsby and Valdez)

AN ACT Relating to the participation of students who are low income in extracurricular activities; amending RCW 28A.325.010 and 28A.325.050; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.600 RCW; and creating a new section.

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

EHB 1687 by Representatives Stanford, Doglio, Macri, Hansen, Orwall, Appleton, Jinkins, Ormsby, Valdez and Davis

AN ACT Relating to limiting defenses based on victim identity; adding a new section to chapter 9A.08 RCW; and adding a new section to chapter 9A.16 RCW.

Referred to Committee on Law & Justice.

HB 1750 by Representatives Mosbrucker and Lovick
AN ACT Relating to filling vacancies in county sheriff offices; and amending RCW 41.14.060 and 41.14.130.

Referred to Committee on Local Government.

HB 1983 by Representatives Maycumber, Kretz and Walsh
AN ACT Relating to natural resource management activities; amending RCW 77.12.037; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

EHB 2008 by Representatives Hudgins, Gregerson and Tarleton

AN ACT Relating to alternate methods of ballot security; and amending RCW 29A.40.091.

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

HB 2109 by Representative Blake
AN ACT Relating to membership of the Chehalis board; and amending RCW 43.21A.731.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 2189 by Representatives Leavitt, Irwin, Sells, MacEwen, Fitzgibbon, Wylie, Corry, Tharinger, Kilduff, Callan,

Davis, Robinson, Doglio, Slatter, Ryu, Griffey, Ormsby and Harris

AN ACT Relating to including specified competency restoration workers at department of social and health services institutional and residential sites in the public safety employees retirement system; and amending RCW 41.37.010.

Referred to Committee on Ways & Means.

HB 2217 by Representatives Eslick, Leavitt, Chambers, Callan, Dent, Walsh, Corry, Jenkin, Van Werven, Shewmake, Young and Wylie

AN ACT Relating to cottage food product labeling requirements; and amending RCW 69.22.020.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 2218 by Representatives Eslick, Leavitt, Chambers, Callan, Dent, Walsh, Corry, Jenkin, Van Werven, Ryu, Shewmake, Thai, Young and Wylie

AN ACT Relating to increasing the cap on gross sales for cottage food operations; and amending RCW 69.22.050.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 2229 by Representatives Sullivan, Stokesbary, Bergquist, Gildon and Wylie

AN ACT Relating to clarifying the scope of taxation on land development or management services; amending RCW 82.04.051; and amending 1999 c 212 s 1 (uncodified).

Referred to Committee on Housing Stability & Affordability.

HB 2242 by Representatives Wylie, Orcutt, Chapman, Bergquist, Dufault, Blake, Shewmake, Gildon and Irwin

AN ACT Relating to travel trailers; and amending RCW 46.44.030.

Referred to Committee on Transportation.

SHB 2250 by House Committee on Rural Development, Agriculture, & Natural Resources (originally sponsored by Blake, Fitzgibbon, Lekanoff and Tharinger)

AN ACT Relating to coastal crab derelict gear recovery; and amending RCW 77.70.500.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 2266 by Representatives Doglio, Dolan, Leavitt, Ryu, Tarleton, Appleton, Paul, Ormsby, Sells, Macri, Wylie, Senn, Cody, Kloba, Hudgins and Pollet

AN ACT Relating to reasonable accommodation for the expression of breast milk without requiring written certification from a health care professional; and amending RCW 43.10.005.

Referred to Committee on Labor & Commerce.

HB 2271 by Representatives Duerr and Rude

AN ACT Relating to correcting a reference to an omnibus transportation appropriations act within a prior authorization

THIRTY THIRD DAY, FEBRUARY 14, 2020

2020 REGULAR SESSION

of general obligation bonds for transportation funding; and amending RCW 47.10.873.

Referred to Committee on Transportation.

SHB 2287 by House Committee on Transportation (originally sponsored by Leavitt, Kilduff, Barkis, Lovick, Ramel and Pollet)

AN ACT Relating to the assessment of rail safety governance in Washington state; creating new sections; and providing expiration dates.

Referred to Committee on Transportation.

HB 2315 by Representatives Orwall, Fitzgibbon and Pellicciotti
AN ACT Relating to repairing and replacing mitigation equipment installed as part of a remedial program within an impacted area; and amending RCW 53.54.030.

Referred to Committee on Local Government.

SHB 2320 by House Committee on Consumer Protection & Business (originally sponsored by Leavitt, Van Werven, Orwall, Eslick, Barkis, Shewmake, Lovick, Harris, Sells, Kilduff, Tarleton, Fey, Irwin, Wylie, Doglio, Pellicciotti, Kloba and Riccelli)

AN ACT Relating to requiring training on human trafficking; amending RCW 70.62.260; adding a new section to chapter 70.62 RCW; and creating a new section.

Referred to Committee on Law & Justice.

HB 2340 by Representatives Fitzgibbon, Leavitt, Lovick, Ormsby and Volz

AN ACT Relating to the definition of index for the Washington state patrol retirement system; and reenacting and amending RCW 43.43.260.

Referred to Committee on Ways & Means.

HB 2348 by Representatives Duerr, Ormsby and Macri

AN ACT Relating to streamlining reporting for recipients of housing-related state funding by removing Washington state quality award program requirements; and amending RCW 43.185C.210.

Referred to Committee on Housing Stability & Affordability.

SHB 2374 by House Committee on Consumer Protection & Business (originally sponsored by Kirby, Vick, Ryu, Barkis, Young, Wylie, Doglio, Goodman and Pollet)

AN ACT Relating to preserving the ability of auto dealers to offer consumers products not supplied by an auto manufacturer; amending RCW 63.14.043; and adding a new section to chapter 46.96 RCW.

Referred to Committee on Labor & Commerce.

HB 2402 by Representatives Hudgins, Gregerson and Wylie

AN ACT Relating to streamlining legislative operations by repealing and amending selected statutory committees; amending RCW 28A.175.075, 28A.657.100, 28B.15.067, 43.15.020, 43.216.572, 43.216.574, 44.04.325, 44.68.010,

44.68.040, 44.68.050, 44.68.060, 44.68.065, 44.68.085, 44.68.090, 44.68.100, and 44.68.105; repealing RCW 28A.657.130, 28B.95.170, 44.55.010, 44.55.020, 44.55.030, 44.55.040, 44.55.050, 44.55.060, 44.68.020, and 44.68.035; and providing an effective date.

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

ESHB 2411 by House Committee on Health Care & Wellness (originally sponsored by Orwall, Kilduff, Gildon, Leavitt, Paul, Cody, Davis, Pollet, Goodman, Wylie, Doglio and Morgan)

AN ACT Relating to suicide prevention; reenacting and amending RCW 43.70.442; adding a new section to chapter 18.92 RCW; and providing an effective date.

Referred to Committee on Health & Long Term Care.

HB 2449 by Representatives Griffey and Gregerson

AN ACT Relating to water-sewer district commissioner compensation; and amending RCW 57.12.010.

Referred to Committee on Local Government.

SHB 2473 by House Committee on Public Safety (originally sponsored by Goodman and Wylie)

AN ACT Relating to domestic violence; amending RCW 7.77.060, 7.77.080, 9.41.340, 9.41.345, 9A.36.041, 10.14.055, 10.22.010, 10.66.010, 10.95.020, 26.09.015, 41.04.655, 48.18.550, 70.83C.010, and 74.34.145; reenacting and amending RCW 9.41.010, 9.41.040, 10.31.100, and 9.96.060; prescribing penalties; and declaring an emergency.

Referred to Committee on Law & Justice.

SHB 2476 by House Committee on Civil Rights & Judiciary (originally sponsored by Walen, Duerr, Kloba, Kilduff, Leavitt, Lekanoff, Orwall, Davis, Doglio, Frame, Macri, Goodman and Ormsby)

AN ACT Relating to debt buyers; amending RCW 19.16.100, 19.16.260, 19.16.440, and 19.16.450; and creating a new section.

Referred to Committee on Law & Justice.

HB 2508 by Representatives Wylie and Vick

AN ACT Relating to simplifying the process for donating low-value surplus property owned by a city-owned utility; and amending RCW 35.94.040.

Referred to Committee on Local Government.

SHB 2527 by House Committee on State Government & Tribal Relations (originally sponsored by Ramos, Kilduff, Gregerson, Valdez, Slatter, Ortiz-Self, Tarleton, Davis, Doglio, Callan, Ramel, Pollet, Hudgins, Ormsby and Santos)

AN ACT Relating to protecting the rights of Washingtonians during the United States census; adding a new section to chapter 43.62 RCW; adding a new section to chapter 9A.60 RCW; prescribing penalties; and declaring an emergency.

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

HB 2545 by Representatives Davis, Klippert, Goodman, Robinson, Macri, Griffey, Cody, Sutherland, Graham, Pellicciotti, Leavitt and Ormsby
AN ACT Relating to making jail records available to managed health care systems; and amending RCW 70.48.100.

Referred to Committee on Human Services, Reentry & Rehabilitation.

ESHB 2551 by House Committee on State Government & Tribal Relations (originally sponsored by Lekanoff, Ramel, Rude, Leavitt, Valdez, Davis, Doglio, Walen, Pollet, Macri, Ormsby and Santos)
AN ACT Relating to permitting students to wear traditional tribal regalia and objects of cultural significance at graduation ceremonies and related events; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28B.10 RCW; creating new sections; and declaring an emergency.

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

HB 2579 by Representatives Dye, Eslick, Klippert and Ormsby
AN ACT Relating to establishing a wild horse holding and training program at Coyote Ridge corrections center; and creating new sections.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 2587 by Representatives Ramel, Shewmake, Duerr, Stonier, Dufault, Doglio, Mead, Thai, Lekanoff, Fitzgibbon, Pollet, Leavitt and Davis
AN ACT Relating to establishing a program for the designation of state scenic bikeways; and adding a new section to chapter 79A.05 RCW.

Referred to Committee on Transportation.

SHB 2589 by House Committee on Education (originally sponsored by Callan, Rude, Pollet, Orwall, Doglio, Steele, Kilduff, Caldier, Davis, Corry, Senn, Ybarra, Thai, Ramos, Ryu, Santos, Leavitt, Gildon, Bergquist, J. Johnson, Frame and Macri)
AN ACT Relating to requiring contact information for suicide prevention and crisis intervention organizations on student and staff identification cards; adding a new section to chapter 28A.210 RCW; adding a new section to chapter 28B.10 RCW; creating new sections; and providing an expiration date.

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

HB 2602 by Representatives Morgan, Thai, Pettigrew, Entenman, Lovick, Slatter, Santos, Ryu, Duerr, Appleton, Bergquist, Stonier, Ramos, Leavitt, Corry, Orwall, Dolan, Frame, Valdez, Gregerson, Ortiz-Self, Peterson, Davis, Riccelli, Callan, J. Johnson, Fey, Ramel, Hudgins, Kilduff, Robinson, Irwin, Doglio, Ormsby, Pollet and Macri

AN ACT Relating to hair discrimination; and amending RCW 49.60.040.

Referred to Committee on Law & Justice.

SHB 2632 by House Committee on Public Safety (originally sponsored by Valdez, Griffey, Ryu, Pellicciotti, Pollet, Orwall, Gregerson, Goodman, Irwin, Ramos, Slatter, Entenman, Davis and Macri)
AN ACT Relating to false reporting of a crime or emergency; amending RCW 9A.84.040; reenacting and amending RCW 9.94A.515; adding a new section to chapter 4.24 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

HB 2640 by Representatives Fey, Kirby, Doglio, Fitzgibbon, Orwall, Gregerson, Valdez, Peterson and Ryu
AN ACT Relating to clarifying that facilities that are operated by a private entity in which persons are detained in custody under process of law pending the outcome of legal proceedings are not essential public facilities under the growth management act; amending RCW 36.70A.200; creating a new section; and declaring an emergency.

Referred to Committee on Local Government.

HB 2664 by Representatives Lovick, Klippert, Goodman and Fey
AN ACT Relating to sheriff's office qualifications; amending RCW 29A.24.091 and 36.28.025; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Law & Justice.

HB 2701 by Representatives Ormsby, Eslick and Riccelli
AN ACT Relating to inspection and testing of fire and smoke control systems and dampers; amending RCW 43.43.944; adding new sections to chapter 19.27 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Local Government.

EHB 2811 by Representatives J. Johnson, Steele, Santos, Ramel, Thai, Mead, Frame, Davis, Valdez, Bergquist, Doglio, Kirby, Lovick, Tarleton, Dolan, Goodman, Gregerson, Slatter, Macri, Hudgins, Pollet, Ryu and Stonier
AN ACT Relating to establishing a statewide environmental sustainability education program; adding a new section to chapter 28A.300 RCW; and creating a new section.

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

HJM 4012 by Representatives Lekanoff, Stokesbary, DeBolt, Irwin, Stonier, Chapman, Kilduff, Wylie, Pellicciotti, Orwall, Sullivan, Pettigrew, Peterson, Paul, Slatter, Blake, Shewmake, Tharinger, Doglio, Goodman, Cody, Ormsby, Pollet, Valdez, Callan, Ramos, Leavitt, Stanford, Sells and Appleton
Recognizing the international year of the salmon.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

THIRTY THIRD DAY, FEBRUARY 14, 2020

2020 REGULAR SESSION

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Substitute House Bill No. 2476 which had been designated to the Committee on Financial Institutions, Economic Development & Trade and was referred to the Committee on Law & Justice.

MOTION

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

MOTION

Senator Darneille moved adoption of the following resolution:

SENATE RESOLUTION
8681

By Senators Darneille, Keiser, Becker, Cleveland, Short, Warnick, Rivers, Brown, Walsh, Das, Saldaña, Randall, Lovelett, Wilson, C., Kuderer, Dhingra, Wellman, Rolfes, Wilson, L., Wagoner, Muzzall, and Conway

WHEREAS, This year, 2020, is the 100th anniversary of the 1920 ratification of the 19th Amendment to the United States Constitution stating that "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex"; and

WHEREAS, Today marks the 100th anniversary of the founding of the National League of Women Voters, and the inception of the League of Women Voters of Washington; and

WHEREAS, The National Council of Women Voters, a nonpartisan educational organization headquartered in Tacoma, Washington, was the first national organization of voting women, led by Emma Smith DeVoe, who emphasized the importance of voting on issues rather than by party; and

WHEREAS, Emma Smith DeVoe led the charge to enfranchise women in the state of Washington, and helped transform the face of suffragist politics in the United States; and

WHEREAS, The State of Washington granted the right to vote to women a full decade earlier in 1910, inspiring a nationwide campaign that led to the enfranchisement of women throughout the country; and

WHEREAS, 100 years ago today, on February 14, 1920, the National Council of Women Voters merged with the National American Woman Suffrage Association, headed by president Carrie Chapman Catt, Susan B. Anthony's successor, forming one national suffragist organization, the League of Women Voters; and

WHEREAS, For 100 years, the Seattle and Tacoma chapters of the League have been at the forefront of civic engagement in Washington State, educating millions of our residents in order for them to become informed participants in government; and

WHEREAS, For 100 years, the League has lived its conviction that "the vote is the emblem of equality" through its campaigns, focusing on policies to increase access to voting, combating voter discrimination, opposing voter photo identification laws, and promoting provoter reforms; and

WHEREAS, The nonpartisan Voters Pamphlet that precedes each election in Washington is an example of the League's ongoing educational effort; and

WHEREAS, In 1993, the League was a key player in passing the National Voter Registration Act, also known as the Motor Voter Act, making registration fast and easy; and

WHEREAS, In 2018 alone, 4.2 million voters' rights were protected through the League's education, advocacy, and litigation efforts to create an informed and educated electorate; and

WHEREAS, From the beginning, equal rights and social reform have been the bedrock for the League's work addressing child welfare, maternal and child health programs, child labor protections and discriminatory laws against women; and

WHEREAS, Within the societal unrest of the 1960s, the League focused its efforts on civil rights issues of equal access to education, housing and employment; and

WHEREAS, With the support of the League in Washington state, the Housing Trust Fund, amendments to welfare reform, and increased appropriations for children's services led to the establishment of a governor's commission for children in the 1980s; and

WHEREAS, In the 1990s, the League took positions in support of LGBTQ rights, supported protections from discrimination based on sexual orientation in employment and lobbied for antiharassment policies and training guidelines in the "save schools bill"; and

WHEREAS, The League has historically been concerned with conservation of natural resources, and protection of public lands, and is currently focused on initiatives, task forces, and studies that concentrate on climate change, resource management, and environmental planning and incentives; and

WHEREAS, The League continue to study, adopt positions, advocate, and serve the community, and register educated voters to this day; and

WHEREAS, From voters' rights, to child labor laws, to climate change, to government restructuring; the League of Women Voters is not only a leader in addressing these issues, but a reflection of the needs of our community and a protector of our democratic processes;

NOW, THEREFORE, BE IT RESOLVED, That on this day, February 14, 2020, the League of Women Voters of the United States, as the organization came to be called, is celebrating 100 years of empowering voters through education, nonpartisanship, inclusion, collaboration, and grassroots democracy; and

BE IT FURTHER RESOLVED, that we do now commend and honor the League of Women Voters for continuously strengthening democracy through shaping public policy on equal rights and social reforms; and

BE IT FURTHER RESOLVED, The League that began as a "mighty political experiment" designed to help millions of women to become responsible voters is truly a hallmark of our democracy.

Senator 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. 8681.

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

MOTION

At 9:20 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 12:38 p.m. by President Habib.

MOTION

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

MESSAGES FROM THE HOUSE

February 13, 2020

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1201,
HOUSE BILL NO. 1242,
SECOND SUBSTITUTE HOUSE BILL NO. 1633,
SECOND SUBSTITUTE HOUSE BILL NO. 1661,
SUBSTITUTE HOUSE BILL NO. 2017,
SUBSTITUTE HOUSE BILL NO. 2200,
HOUSE BILL NO. 2230,
SECOND SUBSTITUTE HOUSE BILL NO. 2277,
SUBSTITUTE HOUSE BILL NO. 2302,
SUBSTITUTE HOUSE BILL NO. 2393,
SUBSTITUTE HOUSE BILL NO. 2394,
SUBSTITUTE HOUSE BILL NO. 2417,
SUBSTITUTE HOUSE BILL NO. 2456,
HOUSE BILL NO. 2484,
SUBSTITUTE HOUSE BILL NO. 2525,
HOUSE BILL NO. 2542,
SUBSTITUTE HOUSE BILL NO. 2543,
SUBSTITUTE HOUSE BILL NO. 2544,
SUBSTITUTE HOUSE BILL NO. 2556,
SUBSTITUTE HOUSE BILL NO. 2614,
HOUSE BILL NO. 2619,
SUBSTITUTE HOUSE BILL NO. 2622,
HOUSE BILL NO. 2624,
SUBSTITUTE HOUSE BILL NO. 2684,
HOUSE BILL NO. 2691,
SUBSTITUTE HOUSE BILL NO. 2711,
SUBSTITUTE HOUSE BILL NO. 2725,
SUBSTITUTE HOUSE BILL NO. 2730,
HOUSE BILL NO. 2762,
SUBSTITUTE HOUSE BILL NO. 2787,
HOUSE BILL NO. 2809,
HOUSE BILL NO. 2848,
SECOND SUBSTITUTE HOUSE BILL NO. 2864,
SUBSTITUTE HOUSE BILL NO. 2865,
SUBSTITUTE HOUSE BILL NO. 2868,
SUBSTITUTE HOUSE BILL NO. 2873,
HOUSE BILL NO. 2926,
HOUSE JOINT MEMORIAL NO. 4016,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 13, 2020

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1598,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2231,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2318,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2327,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2421,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2455,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
2467,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2638,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2722,
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Liias moved that Shannon L. Childs, Senate Gubernatorial Appointment No. 9124, be confirmed as a member of the Olympia College Board of Trustees.

Senator Liias spoke in favor of the motion.

APPOINTMENT OF SHANNON L. CHILDS

The President declared the question before the Senate to be the confirmation of Shannon L. Childs, Senate Gubernatorial Appointment No. 9124, as a member of the Olympia College Board of Trustees.

The Secretary called the roll on the confirmation of Shannon L. Childs, Senate Gubernatorial Appointment No. 9124, as a member of the Olympia College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

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

Absent: Senator Carlyle

Excused: Senators Ericksen and Fortunato

Shannon L. Childs, Senate Gubernatorial Appointment No. 9124, having received the constitutional majority was declared confirmed as a member of the Olympia College Board of Trustees.

MOTION

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

MOTION

On motion of Senator Wilson, C., Senator Carlyle was excused.

SECOND READING

SENATE BILL NO. 6309, by Senators Lovelett, Wagoner, Nguyen, Walsh, Das, Salomon, Randall, Billig, Dhingra, Hasegawa, Saldaña, and Wilson, C.

Expanding access to nutritious food.

MOTIONS

THIRTY THIRD DAY, FEBRUARY 14, 2020

2020 REGULAR SESSION

On motion of Senator Lovelett, Second 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.

On motion of Senator Lovelett, the rules were suspended, Second Substitute Senate Bill No. 6309 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Lovelett 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. 6309.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6309 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Carlyle, Ericksen and Fortunato

SECOND 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.

MOTION

On motion of Senator Liias, and without objection, Senate Bill No. 5494, Senate Bill No. 6128, Senate Bill No. 6212 and Senate Bill No. 6385 were removed from the Consent Calendar placed on the Second Reading Calendar.

SECOND READING

SENATE BILL NO. 5144, by Senators Dhingra, O'Ban, Wilson, C., Keiser, Darneille and Frockt

Implementing child support pass-through payments.

MOTIONS

On motion of Senator Dhingra, Second Substitute Senate Bill No. 5144 was substituted for Senate Bill No. 5144 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dhingra, the rules were suspended, Second Substitute Senate Bill No. 5144 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Walsh 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. 5144.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5144 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 1; Excused, 3.

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

Absent: Senator Billig

Excused: Senators Carlyle, Ericksen and Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 5144, having received the 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 Wilson, C., Senator Billig was excused.

SECOND READING

SENATE BILL NO. 6074, by Senators Dhingra, Rivers, Padden, Mullet, Van De Wege, Randall, Salomon, Keiser, Conway, Pedersen, Kuderer, Das and Stanford

Reauthorizing and expanding the financial fraud and identity theft crimes investigation and prosecution program.

MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 6074 was substituted for Senate Bill No. 6074 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dhingra, the rules were suspended, Substitute Senate Bill No. 6074 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra 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. 6074.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6074 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6074, having received the 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 SENATOR LIAS

Senator Lias: "Thank you Mr. President. I just wanted, for the information of members, that last bill had a minority report from the Ways & Means Committee. And, unfortunately, it appears that both our Democratic and Republican Counsels had not seen that minority report when they prepared the consent calendar yesterday. So we are going to be more vigilant on Ways & Means committee reports and make sure we have unanimous bills on the consent calendar. That was an accident. I apologize for it."

SECOND READING

SENATE BILL NO. 6495, by Senator Walsh

Regarding essential needs and housing support eligibility.

MOTIONS

On motion of Senator Walsh, Substitute Senate Bill No. 6495 was substituted for Senate Bill No. 6495 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Walsh, the rules were suspended, Substitute Senate Bill No. 6495 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Walsh 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. 6495.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6495 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6495, having received the 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. 6181, by Senators Padden, Pedersen, O'Ban, Warnick and Kuderer

Concerning compensation for parents of minor victims of crime.

MOTIONS

On motion of Senator Padden, Second Substitute Senate Bill No. 6181 was substituted for Senate Bill No. 6181 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Second Substitute Senate Bill No. 6181 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 Second Substitute Senate Bill No. 6181.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6181 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6181, having received the 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 Lias, the Senate advanced to the seventh order of business.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5164, by Senate Committee on Ways & Means (originally sponsored by Saldaña, Hasegawa, Frockt, Palumbo, Keiser, Nguyen, Wilson, C. and Darneille)

Providing public assistance to certain victims of human trafficking.

The bill was read on Third Reading.

MOTIONS

On motion of Senator Saldaña, the rules were suspended and Substitute Senate Bill No. 5164 was returned to second reading for the purposes of amendment.

On motion of Senator Saldaña, Third Substitute Senate Bill No. 5164 was substituted for Substitute Senate Bill No. 5164 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Saldaña, the rules were suspended, Third Substitute Senate Bill No. 5164 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Third Substitute Senate Bill No. 5164.

ROLL CALL

The Secretary called the roll on the final passage of Third Substitute Senate Bill No. 5164 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

THIRD SUBSTITUTE SENATE BILL NO. 5164, having received the 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, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6521, by Senators Wellman, Hunt, Mullet, and Wilson, C.

Creating an innovative learning pilot program.

MOTIONS

On motion of Senator Wellman, Substitute Senate Bill No. 6521 was substituted for Senate Bill No. 6521 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wellman, the rules were suspended, Substitute Senate Bill No. 6521 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins 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. 6521.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6521 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6521, having received the 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. 6556, by Senators Cleveland, Darneille, and Wilson, C.

Expanding reporting options for mandated reporters of child abuse and neglect.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Senate Bill No. 6556 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 Senate Bill No. 6556.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6556 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

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

Absent: Senator Walsh

Excused: Senators Ericksen and Fortunato

SENATE BILL NO. 6556, having received the 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. 6229, by Senators Kuderer, and Wilson, C.

Streamlining reporting for recipients of housing-related state funding by removing Washington state quality award program requirements.

The measure was read the second time.

MOTION

On motion of Senator Kuderer, the rules were suspended, Senate Bill No. 6229 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kuderer spoke in favor of passage of the bill.

Senator Zeiger spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6229.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6229 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 16; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Walsh, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson, L. and Zeiger

Excused: Senators Ericksen and Fortunato

SENATE BILL NO. 6229, having received the 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. 6473, by Senators Stanford, Frockt, Conway, Keiser, Hasegawa, Liias, Van De Wege, Billig, Hunt and Saldaña

Concerning asbestos-containing building materials.

MOTION

On motion of Senator Stanford, Substitute Senate Bill No. 6473 was substituted for Senate Bill No. 6473 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Stanford moved that the following floor amendment no. 1054 by Senators Stanford and King be adopted:

On page 2, beginning on line 32, strike all material from "(8)" through "basement," on line 40

On page 4, after line 2, insert the following:

"(3) For the purposes of this section, "interested party" means any contractor, subcontractor, or worker that performs, or is reasonably expected to perform, work at a facility covered under section 3 of this act or any organization whose members perform, or are reasonably expected to perform, work at a facility covered under this section.

(4) For the purposes of this section, "residential construction" means construction, alteration, repair, improvement, or maintenance of single-family dwellings, duplexes, apartments, condominiums, and other residential structures not to exceed four stories in height, including the basement."

On page 4, after line 2, insert the following:

"NEW SECTION. Sec. 4. Section 1 of this act takes effect January 1, 2025."

Senator Stanford spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1054 by Senators Stanford and King on page 2, line 32 to Substitute Senate Bill No. 6473.

The motion by Senator Stanford carried and floor amendment no. 1054 was adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Substitute Senate Bill No. 6473 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stanford spoke in favor of passage of the bill.

Senators Liias, King, Frockt, Takko and Lovelett spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6473.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6473 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 6; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Stanford, Takko, Van De Wege, Walsh, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Becker, Brown, Honeyford, Short, Wagoner and Warnick

Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6473, having received the 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 Stanford: "Thank you Mr. President. I'd like to thank the body for the warm welcome that I have received during my transition here. It helps, I think, that I worked with many of the members of this body in my nine years in the other body across the rotunda. I'd like to just take a brief moment to recognize those who proceeded me in this position: Senator Guy Palumbo; Senator Rosemary MacAuliffe; Senator Patty Murray, who is better known to us now as Senator Patty Murray; Senator Bill Kiskaddon; and Senator Ray Van Hollebeke. And that goes back to when I was born so I'll stop there. Following tradition, I have brought a gift from my family, my beloved Uncle Bob, who is the proprietor of Benishs Bakery. And this is some biscotti, some excellent biscotti from his bakery. I understand that some members may not know what that is. I will explain that later but I hope you enjoy it. And, in closing, I'll mention, in addition to the wonderful things said about me earlier, which I appreciate, I hope I bring my reputation for being succinct and with that I will end."

The President thanked and congratulated Senator Stanford.

SECOND READING

SENATE BILL NO. 5011, by Senators Honeyford, Frockt, Keiser and Wagoner

Concerning a community aviation revitalization loan program.

MOTIONS

On motion of Senator Honeyford, Substitute Senate Bill No. 5011 was substituted for Senate Bill No. 5011 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. 5011 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

THIRTY THIRD DAY, FEBRUARY 14, 2020

2020 REGULAR SESSION

Senators Honeyford 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. 5011.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5011 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 5011, having received the 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. 6123, by Senators Hunt, Kuderer, Nguyen, Stanford, Van De Wege, Wilson, C. and Sheldon

Allowing state employee leave for organ donation.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Senate Bill No. 6123 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Zeiger 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. 6123.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6123 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SENATE BILL NO. 6123, having received the 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. 6078, by Senator Mullet

Clarifying reimbursement for certain clean-up or removal actions by fire protection jurisdictions.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, Senate Bill No. 6078 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and Wilson, L. 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. 6078.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6078 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 10; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Brown, Cleveland, Darneille, Das, Dhingra, Frockt, Hawkins, Hobbs, Holy, Hunt, Keiser, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Becker, Carlyle, Conway, Hasegawa, Honeyford, King, Kuderer, Padden, Van De Wege and Walsh

Excused: Senators Ericksen and Fortunato

SENATE BILL NO. 6078, having received the 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 Senators Carlyle, Nguyen, Rivers, Short, Sheldon, Wellman, Lovelett, Das, Van De Wege, Billig, Randall, Pedersen, Dhingra, Hunt, Salomon, Liias, Mullet, Wilson, C., Frockt, Cleveland and Keiser

Concerning the management and oversight of personal data.

MOTION

On motion of Senator Carlyle, Second 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.

MOTION

Senator Hasegawa moved that the following floor amendment no. 1055 by Senator Hasegawa be adopted:

On page 1, after line 4, insert the following:

"Part I"

On page 4, beginning on line 22, strike all of subsections (11) through (13)

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

On page 5, beginning on line 1, strike all of subsection (17)

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

On page 5, beginning on line 11, strike all of subsection (21)

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

On page 5, beginning on line 17, strike all of subsections (23) and (24)

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

On page 6, beginning on line 25, strike all of subsection (31)

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

On page 7, beginning on line 17, strike all of subsection (35)

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

On page 8, beginning on line 1, strike all of subsection (40)

Correct any internal references accordingly.

On page 17, beginning on line 21, after "purpose." strike all material through "program." on line 24

Beginning on page 22, line 33, strike all of section 17

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

On page 26, after line 11, insert the following:

"Part II

NEW SECTION. Sec. 20. (1) It is unlawful for any Washington state or local government agency or any official thereof to obtain, retain, request, access, or use:

(a) Any facial recognition technology; or

(b) Any personal data obtained from or by use of facial recognition.

(2) Inadvertent or unintentional receipt, access, or use of any personal data obtained from facial recognition is not a violation of this chapter, provided that:

(a) The personal data was not requested or solicited by a state or local agency or any official thereof; and

(b) The personal data is permanently deleted upon discovery.

(3) For purposes of this chapter, "facial recognition" means:

(a) An automated or semiautomated process by which a person is identified or attempted to be identified based on the characteristics of the person's face; or

(b) An automated or semiautomated process by which the characteristics of a person's face are analyzed to determine the person's sentiment, state of mind, or other propensities including, but not limited to, the person's level of dangerousness.

(4) This section expires July 1, 2023.

NEW SECTION. Sec. 21. (1) No personal data obtained from or by use of facial recognition may be received in evidence in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority subject to the jurisdiction of the state of Washington.

(2) Any violation of section 20 of this act constitutes an injury and any person may institute proceedings for injunctive relief, declaratory relief, or writ of mandate in any court of competent jurisdiction to enforce section 20 of this act. An action instituted under this subsection may be brought against the appropriate state or local government agency or state or local government official and, if necessary, to effectuate compliance with this chapter, any other government agency with possession, custody, or control of personal data obtained from or by use of facial recognition.

(3) Any person who has been subjected to facial recognition in violation of section 20 of this act, or about whom personal data has been obtained, retained, accessed, or used in violation of section 20 of this act, may institute proceedings in any court of competent jurisdiction against the state and is entitled to recover

actual damages, but not less than statutory damages of one thousand dollars per violation, whichever is greater.

(4) A court shall award costs and reasonable attorneys' fees to a plaintiff who prevails in an action brought under subsection (2) or (3) of this section.

(5) This section expires July 1, 2023.

NEW SECTION. Sec. 22. (1) Nothing in this chapter applies to the use of a facial recognition matching system by the department of licensing pursuant to RCW 46.20.037.

(2) Nothing in this chapter applies to the use of facial recognition for the purpose of redacting a recording for release or disclosure outside a law enforcement agency to protect the privacy of a subject depicted in the recording, if the process does not generate or result in the retention of any biometric data or surveillance information.

(3) This section expires July 1, 2023.

NEW SECTION. Sec. 23. (1) A person may not operate, install, or commission the operation or installation of equipment incorporating facial recognition in any place of public resort, accommodation, assemblage, or amusement, as defined in RCW 49.60.040.

(2) For purposes of this section, "facial recognition" means:

(a) An automated or semiautomated process by which a person is identified or attempted to be identified based on the characteristics of the person's face; or

(b) An automated or semiautomated process by which the characteristics of a person's face are analyzed to determine the person's sentiment, state of mind, or other propensities including, but not limited to, the person's level of dangerousness.

(3) This section expires July 1, 2023.

NEW SECTION. Sec. 24. (1) The legislature finds that the practices covered by this chapter are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. A violation of this chapter 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.

(2) The attorney general may bring an action in the name of the state, or as parens patriae on behalf of persons residing in the state, to enforce this chapter. In any action brought by the attorney general to enforce this chapter, a violation of this chapter is subject to a civil penalty of one thousand dollars for each violation of this chapter.

(3) A consumer prevailing in an action under this chapter may recover actual damages, but not less than statutory damages of one thousand dollars per violation, whichever is greater.

(4) A court must award costs and reasonable attorneys' fees to a plaintiff who prevails in an action under this chapter.

(5) This section expires July 1, 2023.

NEW SECTION. Sec. 25. (1)(a) A joint legislative task force on facial recognition technology 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 jointly shall appoint members as follows:

(A) Fifteen representatives from advocacy organizations that represent consumers or protected classes of communities historically impacted by surveillance technologies including, but not limited to, African American, Hispanic American, Native American, and Asian American communities, religious

THIRTY THIRD DAY, FEBRUARY 14, 2020

2020 REGULAR SESSION

minorities, protest and activist groups, and other vulnerable communities;

(B) One member from law enforcement;

(C) One representative from a retailer or other company who deploys facial recognition technology in physical premises open to the public;

(D) One representative from a company that develops and provides facial recognition technology; and

(E) Two representatives from universities or research institutions who are experts in either facial recognition technology or technology ethics, or both.

(b) The task force shall choose two cochairs from among its legislative membership.

(2) The task force shall:

(a) Review the existing research on the quality, accuracy, and efficacy of facial recognition technology, including its quality, accuracy, and efficacy across different subpopulations;

(b) Document the potential abuses and threats posed by the use of facial recognition technology to civil liberties and freedoms, privacy and security, discrimination, and other potential harm; and

(c) Provide recommendations regarding appropriate regulation of facial recognition technology.

(3) 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. Staff support for the task force must be provided by the 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 task force shall report its findings and recommendations to the governor and the appropriate committees of the legislature by September 30, 2021.

(6) This section expires July 1, 2023.

NEW SECTION. Sec. 26. (1) Sections 20 through 22 of this act constitute a new chapter in Title 10 RCW.

(2) Sections 23 and 24 of this act constitute a new chapter in Title 19 RCW."

On page 26, line 12, after "20." strike "This act takes" and insert "Sections 1 through 19 of this act take"

On page 1, beginning on line 1 of the title, after "data;" strike the remainder of the title and insert "adding new chapters to Title 19 RCW; adding a new chapter to Title 10 RCW; creating a new section; prescribing penalties; providing an effective date; and providing expiration dates."

Senator Hasegawa spoke in favor of adoption of the amendment.

Senators Carlyle and Rivers spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1055 by Senator Hasegawa on page 1, after line 4 to Second Substitute Senate Bill No. 6281.

The motion by Senator Hasegawa did not carry and floor amendment no. 1055 was not adopted by voice vote.

MOTION

On motion of Senator Carlyle, the rules were suspended, Second Substitute Senate Bill No. 6281 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Carlyle, Rivers, Stanford, Conway and Nguyen 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 Second Substitute Senate Bill No. 6281.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6281 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Hasegawa

Excused: Senators Erickson and Fortunato

SECOND 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.

PERSONAL PRIVILEGE

Senator Hasegawa: "Thank you Mr. President. Well, in my previous floor speech, I got distracted and was trying to recall the name of a film clip we saw at the TVW event last night. And, it was actually Representative Barkis who got distracted as he was talking and he lost track of where he was at, and thought and thought, and I guess that just comes with being ADHD because you just get distracted so easily. Oh, look at the pretty lights up there."

SECOND READING

SENATE BILL NO. 6086, by Senators Hasegawa, Keiser, Kuderer and Nguyen

Increasing access to medications for opioid use disorder.

MOTIONS

On motion of Senator Hasegawa, Substitute Senate Bill No. 6086 was substituted for Senate Bill No. 6086 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. 6086 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hasegawa and Wagoner 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. 6086.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6086 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6086, having received the 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. 6397, by Senators Frockt, Rolfes and Keiser

Concerning nonparticipating providers.

MOTIONS

On motion of Senator Frockt, Substitute Senate Bill No. 6397 was substituted for Senate Bill No. 6397 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Frockt, the rules were suspended, Substitute Senate Bill No. 6397 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Frockt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6397.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6397 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6397, having received the 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. 6429, by Senators Brown, Walsh, Schoesler, Rivers, Van De Wege and Becker

Providing a designation on a driver's license or identicard that a person has a developmental disability.

MOTIONS

On motion of Senator Brown, Substitute Senate Bill No. 6429 was substituted for Senate Bill No. 6429 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. 6429 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 Substitute Senate Bill No. 6429.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6429 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6429, having received the 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. 6526, by Senators Cleveland, Hasegawa, Keiser, Van De Wege, and Wilson, C.

Reusing and donating unexpired prescription drugs.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 6526 was substituted for Senate Bill No. 6526 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. 6526 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland 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. 6526.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6526 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa,

THIRTY THIRD DAY, FEBRUARY 14, 2020

2020 REGULAR SESSION

Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6526, having received the 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. 6302, by Senators Rolfes, Saldaña, Randall, Takko, Das, Hasegawa, Hunt, Lovelett, Nguyen, and Wilson, C.

Prohibiting local governments from limiting the number of unrelated persons occupying a home.

MOTIONS

On motion of Senator Kuderer, Substitute Senate Bill No. 6302 was substituted for Senate Bill No. 6302 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kuderer, the rules were suspended, Substitute Senate Bill No. 6302 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kuderer spoke in favor of passage of the bill.

Senator Zeiger spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6302.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6302 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 20; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Darneille, Das, Dhingra, Frocht, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Conway, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6302, having received the 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. 6324, by Senators Takko and Carlyle

Concerning special purpose district financial reporting.

MOTION

On motion of Senator Takko, Substitute Senate Bill No. 6324 was substituted for Senate Bill No. 6324 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Takko moved that the following floor amendment no. 1049 by Senators Takko and Short be adopted:

On page 1, line 8, after "section" strike ", special" and insert ":

(a) "Special"

On page 1, after line 14, insert the following:

"(b) "Unauditable" means a special purpose district that the state auditor has determined to be incapable of being audited because the special purpose district has improperly maintained, failed to maintain, or failed to submit adequate accounts, records, files, or reports for an audit to be completed for three years."

On page 2, beginning on line 28, after "have" strike all material through "section" on line 29 and insert "been determined to be unauditable"

On page 3, beginning on line 2, after "districts" strike all material through "section" on line 3 and insert "have been determined to be unauditable"

On page 3, beginning on line 36, after "has" strike all material through "years" on line 38 and insert "been determined to be unauditable by the state auditor:"

(4) "Unauditable" means a special purpose district that the state auditor has determined to be incapable of being audited because the special purpose district has improperly maintained, failed to maintain, or failed to submit adequate accounts, records, files, or reports for an audit to be completed for three years"

Senators Takko and Short spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1049 by Senators Takko and Short on page 1, line 8 to Substitute Senate Bill No. 6324.

The motion by Senator Takko carried and floor amendment no. 1049 was adopted by voice vote.

MOTION

Senator Takko moved that the following floor amendment no. 957 by Senator Takko be adopted:

On page 2, after line 38, insert the following:

"(iii) Notwithstanding (a)(ii) of this subsection (3), a county may authorize the special purpose district and the county auditor to issue warrants against the funds of the special purpose district:

(A) In order to prevent the discontinuation or interruption of any district services;

(B) For emergency or public health purposes; or

(C) To allow the district to carry out any district duties or responsibilities."

Senators Takko and Short spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 957 by Senator Takko on page 2, after line 38 to Substitute Senate Bill No. 6324.

The motion by Senator Takko carried and floor amendment no. 957 was adopted by voice vote.

MOTION

Senator Takko moved that the following floor amendment no. 956 by Senator Takko be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 27.** RCW 48.43.735 and 2017 c 219 s 1 are each amended to read as follows:

(1)(a) For health plans issued or renewed on or after January 1, 2017, a health carrier shall reimburse a provider for a health care service provided to a covered person through telemedicine or store and forward technology if:

~~((a))~~ (i) The plan provides coverage of the health care service when provided in person by the provider;

~~((b))~~ (ii) The health care service is medically necessary;

~~((c))~~ (iii) The health care service is a service recognized as an essential health benefit under section 1302(b) of the federal patient protection and affordable care act in effect on January 1, 2015; and

~~((d))~~ (iv) The health care service is determined to be safely and effectively provided through telemedicine or store and forward technology according to generally accepted health care practices and standards, and the technology used to provide the health care service meets the standards required by state and federal laws governing the privacy and security of protected health information.

(b)(i) Except as provided in (b)(ii) of this subsection, for health plans issued or renewed on or after January 1, 2021, a health carrier shall reimburse a provider for a health care service provided to a covered person through telemedicine at the same rate as if the health care service was provided in person by the provider.

(ii) Hospitals, hospital systems, telemedicine companies, and provider groups consisting of eleven or more providers may elect to negotiate a reimbursement rate for telemedicine services that differs from the reimbursement rate for in-person services.

(iii) For purposes of this subsection (1)(b), the number of providers in a provider group refers to all providers within the group, regardless of a provider's location.

~~(2)((a) If the service is provided through store and forward technology there must be an associated office visit between the covered person and the referring health care provider. Nothing in this section prohibits the use of telemedicine for the associated office visit.~~

~~(b))~~ For purposes of this section, reimbursement of store and forward technology is available only for those covered services specified in the negotiated agreement between the health carrier and the health care provider.

(3) An originating site for a telemedicine health care service subject to subsection (1) of this section includes a:

- (a) Hospital;
- (b) Rural health clinic;
- (c) Federally qualified health center;
- (d) Physician's or other health care provider's office;
- (e) Community mental health center;
- (f) Skilled nursing facility;
- (g) Home or any location determined by the individual receiving the service; or
- (h) Renal dialysis center, except an independent renal dialysis center.

(4) Except for subsection (3)(g) of this section, any originating site under subsection (3) of this section may charge a facility fee for infrastructure and preparation of the patient. Reimbursement for a facility fee must be subject to a negotiated agreement between the originating site and the health carrier. A distant site

or any other site not identified in subsection (3) of this section may not charge a facility fee.

(5) A health carrier may not distinguish between originating sites that are rural and urban in providing the coverage required in subsection (1) of this section.

(6) A health carrier may subject coverage of a telemedicine or store and forward technology health service under subsection (1) of this section to all terms and conditions of the plan in which the covered person is enrolled including, but not limited to, utilization review, prior authorization, deductible, copayment, or coinsurance requirements that are applicable to coverage of a comparable health care service provided in person.

(7) This section does not require a health carrier to reimburse:

(a) An originating site for professional fees;

(b) A provider for a health care service that is not a covered benefit under the plan; or

(c) An originating site or health care provider when the site or provider is not a contracted provider under the plan.

(8) For purposes of this section:

(a) "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;

(b) "Health care service" has the same meaning as in RCW 48.43.005;

(c) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW;

(d) "Originating site" means the physical location of a patient receiving health care services through telemedicine;

(e) "Provider" has the same meaning as in RCW 48.43.005;

(f) "Store and forward technology" means use of an asynchronous transmission of a covered person's medical information from an originating site to the health care provider at a distant site which results in medical diagnosis and management of the covered person, and does not include the use of audio-only telephone, facsimile, or email; and

(g) "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. For purposes of this section only, "telemedicine" does not include the use of audio-only telephone, facsimile, or email.

Sec. 28. RCW 41.05.700 and 2018 c 260 s 30 are each amended to read as follows:

(1)(a) A health plan offered to employees, school employees, and their covered dependents under this chapter issued or renewed on or after January 1, 2017, shall reimburse a provider for a health care service provided to a covered person through telemedicine or store and forward technology if:

~~((a))~~ (i) The plan provides coverage of the health care service when provided in person by the provider;

~~((b))~~ (ii) The health care service is medically necessary;

~~((c))~~ (iii) The health care service is a service recognized as an essential health benefit under section 1302(b) of the federal patient protection and affordable care act in effect on January 1, 2015; and

~~((d))~~ (iv) The health care service is determined to be safely and effectively provided through telemedicine or store and forward technology according to generally accepted health care practices and standards, and the technology used to provide the health care service meets the standards required by state and federal laws governing the privacy and security of protected health information.

(b)(i) Except as provided in (b)(ii) of this subsection, a health plan offered to employees, school employees, and their covered dependents under this chapter issued or renewed on or after

THIRTY THIRD DAY, FEBRUARY 14, 2020

2020 REGULAR SESSION

January 1, 2021, shall reimburse a provider for a health care service provided to a covered person through telemedicine at the same rate as if the health care service was provided in person by the provider.

(ii) Hospitals, hospital systems, telemedicine companies, and provider groups consisting of eleven or more providers may elect to negotiate a reimbursement rate for telemedicine services that differs from the reimbursement rate for in-person services.

(iii) For purposes of this subsection (1)(b), the number of providers in a provider group refers to all providers within the group, regardless of a provider's location.

~~(2)((a) If the service is provided through store and forward technology there must be an associated office visit between the covered person and the referring health care provider. Nothing in this section prohibits the use of telemedicine for the associated office visit.~~

~~(b))~~ For purposes of this section, reimbursement of store and forward technology is available only for those covered services specified in the negotiated agreement between the health plan and health care provider.

(3) An originating site for a telemedicine health care service subject to subsection (1) of this section includes a:

- (a) Hospital;
- (b) Rural health clinic;
- (c) Federally qualified health center;
- (d) Physician's or other health care provider's office;
- (e) Community mental health center;
- (f) Skilled nursing facility;
- (g) Home or any location determined by the individual receiving the service; or
- (h) Renal dialysis center, except an independent renal dialysis center.

(4) Except for subsection (3)(g) of this section, any originating site under subsection (3) of this section may charge a facility fee for infrastructure and preparation of the patient. Reimbursement for a facility fee must be subject to a negotiated agreement between the originating site and the health plan. A distant site or any other site not identified in subsection (3) of this section may not charge a facility fee.

(5) The plan may not distinguish between originating sites that are rural and urban in providing the coverage required in subsection (1) of this section.

(6) The plan may subject coverage of a telemedicine or store and forward technology health service under subsection (1) of this section to all terms and conditions of the plan including, but not limited to, utilization review, prior authorization, deductible, copayment, or coinsurance requirements that are applicable to coverage of a comparable health care service provided in person.

(7) This section does not require the plan to reimburse:

- (a) An originating site for professional fees;
 - (b) A provider for a health care service that is not a covered benefit under the plan; or
 - (c) An originating site or health care provider when the site or provider is not a contracted provider under the plan.
- (8) For purposes of this section:
- (a) "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;
 - (b) "Health care service" has the same meaning as in RCW 48.43.005;
 - (c) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW;
 - (d) "Originating site" means the physical location of a patient receiving health care services through telemedicine;
 - (e) "Provider" has the same meaning as in RCW 48.43.005;

(f) "Store and forward technology" means use of an asynchronous transmission of a covered person's medical information from an originating site to the health care provider at a distant site which results in medical diagnosis and management of the covered person, and does not include the use of audio-only telephone, facsimile, or email; and

(g) "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. For purposes of this section only, "telemedicine" does not include the use of audio-only telephone, facsimile, or email.

Sec. 29. RCW 74.09.325 and 2017 c 219 s 3 are each amended to read as follows:

(1)(a) Upon initiation or renewal of a contract with the Washington state health care authority to administer a medicaid managed care plan, a managed health care system shall reimburse a provider for a health care service provided to a covered person through telemedicine or store and forward technology if:

~~((a))~~ (i) The medicaid managed care plan in which the covered person is enrolled provides coverage of the health care service when provided in person by the provider;

~~((b))~~ (ii) The health care service is medically necessary;

~~((c))~~ (iii) The health care service is a service recognized as an essential health benefit under section 1302(b) of the federal patient protection and affordable care act in effect on January 1, 2015; and

~~((d))~~ (iv) The health care service is determined to be safely and effectively provided through telemedicine or store and forward technology according to generally accepted health care practices and standards, and the technology used to provide the health care service meets the standards required by state and federal laws governing the privacy and security of protected health information.

(b)(i) Except as provided in (b)(ii) of this subsection, upon initiation or renewal of a contract with the Washington state health care authority to administer a medicaid managed care plan, a managed health care system shall reimburse a provider for a health care service provided to a covered person through telemedicine at the same rate as if the health care service was provided in person by the provider.

(ii) Hospitals, hospital systems, telemedicine companies, and provider groups consisting of eleven or more providers may elect to negotiate a reimbursement rate for telemedicine services that differs from the reimbursement rate for in-person services.

(iii) For purposes of this subsection (1)(b), the number of providers in a provider group refers to all providers within the group, regardless of a provider's location.

~~(2)((a) If the service is provided through store and forward technology there must be an associated visit between the covered person and the referring health care provider. Nothing in this section prohibits the use of telemedicine for the associated office visit.~~

~~(b))~~ For purposes of this section, reimbursement of store and forward technology is available only for those services specified in the negotiated agreement between the managed health care system and health care provider.

(3) An originating site for a telemedicine health care service subject to subsection (1) of this section includes a:

- (a) Hospital;
- (b) Rural health clinic;
- (c) Federally qualified health center;
- (d) Physician's or other health care provider's office;
- (e) Community mental health center;

- (f) Skilled nursing facility;
- (g) Home or any location determined by the individual receiving the service; or
- (h) Renal dialysis center, except an independent renal dialysis center.

(4) Except for subsection (3)(g) of this section, any originating site under subsection (3) of this section may charge a facility fee for infrastructure and preparation of the patient. Reimbursement for a facility fee must be subject to a negotiated agreement between the originating site and the managed health care system. A distant site or any other site not identified in subsection (3) of this section may not charge a facility fee.

(5) A managed health care system may not distinguish between originating sites that are rural and urban in providing the coverage required in subsection (1) of this section.

(6) A managed health care system may subject coverage of a telemedicine or store and forward technology health service under subsection (1) of this section to all terms and conditions of the plan in which the covered person is enrolled including, but not limited to, utilization review, prior authorization, deductible, copayment, or coinsurance requirements that are applicable to coverage of a comparable health care service provided in person.

(7) This section does not require a managed health care system to reimburse:

- (a) An originating site for professional fees;
- (b) A provider for a health care service that is not a covered benefit under the plan; or
- (c) An originating site or health care provider when the site or provider is not a contracted provider under the plan.

(8) For purposes of this section:

(a) "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;

(b) "Health care service" has the same meaning as in RCW 48.43.005;

(c) "Hospital" means a facility licensed under chapter 70.41, 71.12, or 72.23 RCW;

(d) "Managed health care system" means any health care organization, including health care providers, insurers, health care service contractors, health maintenance organizations, health insuring organizations, or any combination thereof, that provides directly or by contract health care services covered under this chapter and rendered by licensed providers, on a prepaid capitated basis and that meets the requirements of section 1903(m)(1)(A) of Title XIX of the federal social security act or federal demonstration waivers granted under section 1115(a) of Title XI of the federal social security act;

(e) "Originating site" means the physical location of a patient receiving health care services through telemedicine;

(f) "Provider" has the same meaning as in RCW 48.43.005;

(g) "Store and forward technology" means use of an asynchronous transmission of a covered person's medical information from an originating site to the health care provider at a distant site which results in medical diagnosis and management of the covered person, and does not include the use of audio-only telephone, facsimile, or email; and

(h) "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. For purposes of this section only, "telemedicine" does not include the use of audio-only telephone, facsimile, or email.

(9) To measure the impact on access to care for underserved communities and costs to the state and the medicaid managed health care system for reimbursement of telemedicine services,

the Washington state health care authority, using existing data and resources, shall provide a report to the appropriate policy and fiscal committees of the legislature no later than December 31, 2018.

Sec. 30. RCW 28B.20.830 and 2018 c 256 s 1 are each amended to read as follows:

(1) The collaborative for the advancement of telemedicine is created to enhance the understanding and use of health services provided through telemedicine and other similar models in Washington state. The collaborative shall be hosted by the University of Washington telehealth services and shall be comprised of one member from each of the two largest caucuses of the senate and the house of representatives, and representatives from the academic community, hospitals, clinics, and health care providers in primary care and specialty practices, carriers, and other interested parties.

(2) By July 1, 2016, the collaborative shall be convened. The collaborative shall develop recommendations on improving reimbursement and access to services, including originating site restrictions, provider to provider consultative models, and technologies and models of care not currently reimbursed; identify the existence of telemedicine best practices, guidelines, billing requirements, and fraud prevention developed by recognized medical and telemedicine organizations; and explore other priorities identified by members of the collaborative. After review of existing resources, the collaborative shall explore and make recommendations on whether to create a technical assistance center to support providers in implementing or expanding services delivered through telemedicine technologies.

(3) The collaborative must submit an initial progress report by December 1, 2016, with follow-up policy reports including recommendations by December 1, 2017, December 1, 2018, and December 1, 2021. The reports shall be shared with the relevant professional associations, governing boards or commissions, and the health care committees of the legislature.

(4) The collaborative shall study store and forward technology, with a focus on:

(a) Utilization;

(b) Whether store and forward technology should be paid for at parity with in-person services;

(c) The potential for store and forward technology to improve rural health outcomes in Washington state; and

(d) Ocular services.

(5) The meetings of the board shall be open public meetings, with meeting summaries available on a web page.

~~((5))~~ (6) The future of the collaborative shall be reviewed by the legislature with consideration of ongoing technical assistance needs and opportunities. The collaborative terminates December 31, 2021.

NEW SECTION. Sec. 31. This act takes effect January 1, 2021."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "reimbursing for telemedicine services at the same rate as in person; amending RCW 48.43.735, 41.05.700, 74.09.325, and 28B.20.830; and providing an effective date."

Senators Takko and Short spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 956 by Senator Takko on page 6, after line 20 to Substitute Senate Bill No. 6324.

The motion by Senator Takko carried and floor amendment no. 956 was adopted by voice vote.

MOTION

THIRTY THIRD DAY, FEBRUARY 14, 2020

2020 REGULAR SESSION

On motion of Senator Takko, the rules were suspended, Engrossed Substitute Senate Bill No. 6324 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko, Short and Carlyle 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. 6324.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6324 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

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

Voting nay: Senators Honeyford and Lovelett

Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6324, having received the 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. 6440, by Senators Stanford, Hunt, Keiser, McCoy, Das and Conway

Concerning industrial insurance medical examinations.

MOTION

On motion of Senator Stanford, Substitute Senate Bill No. 6440 was substituted for Senate Bill No. 6440 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Stanford moved that the following striking floor amendment no. 1042 by Senator Stanford be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 32.** A new section is added to chapter 51.08 RCW to read as follows:

"New medical issue" means a medical issue not covered by a previous medical examination requested by the department or the self-insurer such as an issue regarding medical causation, medical treatment, work restrictions, or evaluating permanent partial disability.

Sec. 33. RCW 51.32.110 and 1997 c 325 s 3 are each amended to read as follows:

(1) ~~((Any))~~ As required under RCW 51.36.070, any worker entitled to receive any benefits or claiming such under this title shall, if requested by the department or self-insurer, submit himself or herself for medical examination, ~~((at a time and from time to time,))~~ at a place reasonably convenient for the worker

~~((and as may be provided by the rules of the department)).~~ An injured worker, whether an alien or other injured worker, who is not residing in the United States at the time that a medical examination is requested may be required to submit to an examination at any location in the United States determined by the department or self-insurer.

(2) If the worker refuses to submit to medical examination, or obstructs the same, or, if any injured worker shall persist in unsanitary or injurious practices which tend to imperil or retard his or her recovery, or shall refuse to submit to such medical or surgical treatment as is reasonably essential to his or her recovery or refuse or obstruct evaluation or examination for the purpose of vocational rehabilitation or does not cooperate in reasonable efforts at such rehabilitation, the department or the self-insurer upon approval by the department, with notice to the worker may suspend any further action on any claim of such worker so long as such refusal, obstruction, noncooperation, or practice continues and reduce, suspend, or deny any compensation for such period: PROVIDED, That ~~((the))~~ (a) The department or the self-insurer shall not suspend any further action on any claim of a worker or reduce, suspend, or deny any compensation if a worker has good cause for refusing to submit to or to obstruct any examination, evaluation, treatment or practice requested by the department or required under this section and (b) the department or self-insurer may not assess a no-show fee against the worker if the worker gives at least five business days' notice of the worker's intent not to attend the examination.

(3) If the worker necessarily incurs traveling expenses in attending the examination pursuant to the request of the department, such traveling expenses shall be repaid to him or her out of the accident fund upon proper voucher and audit or shall be repaid by the self-insurer, as the case may be.

(4)(a) If the medical examination required by this section causes the worker to be absent from his or her work without pay:

(i) In the case of a worker insured by the department, the worker shall be paid compensation out of the accident fund in an amount equal to his or her usual wages for the time lost from work while attending the medical examination; or

(ii) In the case of a worker of a self-insurer, the self-insurer shall pay the worker an amount equal to his or her usual wages for the time lost from work while attending the medical examination.

(b) This subsection (4) shall apply prospectively to all claims regardless of the date of injury.

Sec. 34. RCW 51.36.070 and 2001 c 152 s 2 are each amended to read as follows:

(1)(a) Whenever the ~~((director))~~ department or the self-insurer deems it necessary in order to ~~((resolve any))~~ (i) make a decision regarding claim allowance or reopening, (ii) resolve a new medical issue, an appeal, or case progress, or (iii) evaluate the worker's permanent disability or work restriction, a worker shall submit to examination by a physician or physicians selected by the ~~((director))~~ department, with the rendition of a report to the person ordering the examination, the attending physician, and the injured worker.

(b) The examination must be at a place reasonably convenient to the injured worker, or alternatively utilize telemedicine. For purposes of this subsection, "reasonably convenient" means at a place where residents in the injured worker's community would normally travel to seek medical care for the same specialty as the examiner.

(2) The department or self-insurer shall provide the physician performing an examination with all relevant medical records from the worker's claim file. The director, in his or her discretion, may charge the cost of such examination or examinations to the self-

insurer or to the medical aid fund as the case may be. The cost of said examination shall include payment to the worker of reasonable expenses connected therewith.

(3) For purposes of this section, "examination" means a physical or mental examination by a medical care provider licensed to practice medicine, osteopathy, podiatry, chiropractic, dentistry, or psychiatry at the request of the department or self-insured employer or by order of the board of industrial insurance appeals.

(4) The department may adopt rules to implement this section.

(5) This section applies prospectively to all claims regardless of the date of injury.

NEW SECTION. Sec. 35. (1) An independent medical examination work group is established within the department of labor and industries, with members as provided in this subsection.

(a) The speaker of the house of representatives shall appoint two members from the house of representatives, with one member appointed from each of the two largest caucuses of the house of representatives;

(b) The president of the senate shall appoint two members from the senate, with one member appointed from each of the two largest caucuses of the senate;

(c) The department of labor and industries shall appoint one business representative representing employers participating in the state fund;

(d) The department of labor and industries shall appoint one business representative representing employers who are self-insured for purposes of workers' compensation insurance;

(e) The department of labor and industries shall appoint two labor representatives;

(f) The department of labor and industries shall appoint one representative of both an association representing physicians who perform examinations for purposes of workers' compensation insurance and the panel companies that work with them; and

(g) The department of labor and industries shall appoint one attorney who represents injured workers.

(2) The work group must:

(a) Develop strategies for reducing the number of medical examinations per claim while considering claim duration and medical complexity;

(b) Develop strategies for improving access to medical records, including records and reports created during the course of or pursuant to an examination;

(c) Consider whether the department of labor and industries should do all the scheduling of independent medical examinations;

(d) Consider the circumstances for which independent medical examiners should be randomly selected or specified;

(e) Consider workers' rights in the independent medical examination process including attendance, specialist consultations, the audio or video recording of examinations, and the distance and location of examinations;

(f) Recommend changes to improve the efficiency of the independent medical examination process; and

(g) Identify barriers to increasing the supply of in-state physicians willing to do independent medical examinations in the workers' compensation system.

(3) The department of labor and industries must report its findings and recommendations to the legislature by December 11, 2020.

(4) This section expires December 31, 2020."

On page 1, line 1 of the title, after "examinations;" strike the remainder of the title and insert "amending RCW 51.32.110 and 51.36.070; adding a new section to chapter 51.08 RCW; creating a new section; and providing an expiration date."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1042 by Senator Stanford to Substitute Senate Bill No. 6440.

The motion by Senator Stanford carried and striking floor amendment no. 1042 was adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Substitute Senate Bill No. 6440 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford, King and Liias spoke in favor of passage of the bill.

POINT OF INQUIRY

Senator Liias: "Mr. President, I wondered if the prime sponsor would yield to a question?"

President Habib: "Senator Stanford do you yield to his question? If he does, Senator Liias."

Senator Stanford: "Absolutely not." *[Laughter.]*

President Habib: "Oh. Oh. See, he's already starting to act like a senator. You know what I mean?" *[Laughter.]*

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6440.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6440 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

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

Voting nay: Senators Honeyford and Schoesler

Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6440, having received the 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: "Thank you Mr. President. I would like to welcome, for members that voted for this, to serving on this committee in the interim. Have fun. Thank you."

SECOND READING

SENATE BILL NO. 5522, by Senator Takko

Providing code cities with the ability to annex unincorporated areas pursuant to a jointly approved interlocal agreement with the county.

MOTION

On motion of Senator Takko, Substitute Senate Bill No. 5522 was substituted for Senate Bill No. 5522 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Takko moved that the following striking floor amendment no. 1006 by Senator Takko be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 36. The legislature finds that city annexations of unincorporated areas within urban growth areas will be more efficient and effective if the county and city develop a jointly approved interlocal agreement so as not to create illogical boundaries or islands of unincorporated territory.

NEW SECTION. Sec. 37. A new section is added to chapter 35A.14 RCW to read as follows:

(1) A code city as provided in subsection (2) of this section may annex unincorporated territory pursuant to an interlocal agreement. This method of annexation shall be an alternative method and is additional to all other methods provided for in this chapter.

(2) The county legislative authority of a county and the governing body of a code city may jointly initiate an annexation process for unincorporated territory by adopting an interlocal agreement as provided in chapter 39.34 RCW and under this section between the county and code city within the county. If a code city is proposing to annex territory where the sole access or majority of egress and ingress for the territory proposed for annexation is served by the transportation network of an adjacent city, or that will include areas in a fire protection district under Title 52 RCW, regional fire protection service authority under chapter 52.26 RCW, water-sewer district under Title 57 RCW, or transportation benefit district under chapter 36.73 RCW, the code city must provide written notice to the governing authority of such adjacent city, regional fire protection service authority, fire protection district, water-sewer district, or transportation benefit district. Such adjacent city or notified district shall have thirty calendar days from the date of the notice to provide written notice of its interest in being a party to the interlocal agreement. If timely notice is provided, such city or district shall be included as a party to the interlocal agreement. If the adjacent city or district does not approve the interlocal agreement, the annexation may not proceed under this section. For purposes of this subsection, "adjacent" means that the territory proposed for annexation is contiguous with the existing city limits of the nonannexing city. The interlocal agreement must ensure that for a period of five years after the annexation any parcel zoned for residential development within the annexed area shall:

(a) Maintain a zoning designation that provides for residential development; and

(b) Not have its minimum gross residential density reduced below the density allowed for by the zoning designation for that parcel prior to annexation.

(3) The county and code city shall jointly agree on the boundaries of the annexation and its effective date. The interlocal agreement shall describe the boundaries of the territory to be annexed and set a date for a public hearing on such agreement for annexation. An interlocal agreement may include phased annexation of territory, and may be amended following the same process as initial approval, including adding additional territory. A public hearing shall be held by each legislative body, separately

or jointly, before the agreement is executed. Each legislative body holding a public hearing shall:

(a) Separately or jointly, publish a notice of availability of the agreement at least once a week for four weeks before the date of the hearing in one or more newspapers of general circulation within the code city and one or more newspapers of general circulation within the territory proposed for annexation; and

(b) If the legislative body has the ability to do so, post the notice of availability of the agreement on its web site for the same four weeks that the notice is published in the newspapers under (a) of this subsection. The notice shall describe where the public may review the agreement and the territory to be annexed.

(4) On the date set for hearing, the public shall be afforded an opportunity to be heard. Following the hearing, if the legislative body determines to effect the annexation, they shall do so by ordinance. If the annexation agreement includes phased annexation of territory, the legislative body shall adopt a separate ordinance at the time of each phase of annexation. Upon the date fixed in the ordinance of annexation the area annexed shall become part of the city. If the annexation ordinance provides for assumption of indebtedness or adoption of a proposed zoning regulation, the notice shall include a statement of such requirements. Upon passage of the annexation ordinance a certified copy shall be filed with the board of county commissioners of the county in which the annexed property is located."

On page 1, line 3 of the title, after "county;" strike the remainder of the title and insert "adding a new section to chapter 35A.14 RCW; and creating a new section."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1006 by Senator Takko to Substitute Senate Bill No. 5522.

The motion by Senator Takko carried and striking floor amendment no. 1006 was adopted by voice vote.

MOTION

On motion of Senator Takko, the rules were suspended, Engrossed Substitute Senate Bill No. 5522 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senators Short, Sheldon, Becker, Honeyford, Wagoner and Schoesler 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. 5522.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5522 and the bill passed the Senate by the following vote: Yeas, 25; Nays, 22; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Hasegawa, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Randall, Rivers, Rolfes, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 5522, having received the 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, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SENATE BILL NO. 5294, by Senators Hunt, Hasegawa, Pedersen, Kuderer, Zeiger, Takko, Keiser and Saldaña

Creating leave provisions for legislative service.

The bill was read on Third Reading.

Senators Hunt, Zeiger and Hasegawa spoke in favor of passage of the bill.

POINT OF ORDER

Senator Sheldon: "Thank you for recognizing me Mr. President, at this last second on this bill. But, I just wondered, maybe you could give me an idea, is this within our ethics to vote on something that affects us all, perhaps? Many of us have another job. So I think there is some kind of concern here we ought to have about voting for something that may directly benefit the members themselves."

President Habib: "Are you asking for a point of order?"

Senator Sheldon: "Yes. Is there a point of order that might be appropriate for that, those remarks, Mr. President?"

RULING BY THE PRESIDENT

President Habib: "Senator Sheldon, and we can, as always, I'm going to give an oral answer to you and then we'll, it's not a long ruling but we will be happy to write something as well. The bill before you does not concern any particular legislator and not even the 147 members of the legislature that currently serve but, in fact, any eligible potential legislator now and in the future. And so, there are many laws on the books that relate to the functioning of the state legislature and legislators. Those have been passed by legislators and do not constitute conflict of interest. There is no conflict of interest with respect to this question."

Senators Billig and Keiser spoke in favor of passage of the bill. Senators Padden, Wilson, L., Becker and Sheldon spoke against passage of the bill.

MOTION

Senator Sheldon moved that the Senate defer further consideration of Engrossed Senate Bill No. 5294 and the bill hold its place on the day's calendar.

Senator Liias spoke against the motion to defer consideration.

POINT OF ORDER

Senator Hasegawa: "I rise on a point of order. I don't believe the motion has received a second."

RULING BY THE PRESIDENT

President Habib: "We don't ... Senator Hasegawa, how long have you been here? We don't, that's not in Reed's Rules. We don't, we don't, we don't, I've never asked you for a, to second a motion."

The President declared the question before the Senate to be the motion by Senator Sheldon that the senate defer further consideration of Engrossed Senate Bill No. 5294 and the motion did not carry by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5294.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5294 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 16; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Braun, Brown, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick and Wilson, L.

Excused: Senators Ericksen and Fortunato

ENGROSSED SENATE BILL NO. 5294, having received the 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, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6660, by Senators Rolfes, Braun and Mullet

Improving fiscal responsibility and budget discipline by replacing the spending limit with additional four-year balanced budget requirements.

MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 6660 was substituted for Senate Bill No. 6660 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 6660 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Braun spoke in favor of passage of the bill. Senator Conway spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6660.

ROLL CALL

THIRTY THIRD DAY, FEBRUARY 14, 2020

2020 REGULAR SESSION

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6660 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 5; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Conway, Keiser, Padden, Saldaña and Van De Wege

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6660, having received the 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: "I want to wish my grandson a very Happy Birthday. He is turning, well, he turned sixteen today. He's the one I always talk about that was born at 2 pounds, 7 ounces. Um, they lost him, they got him back and my daughter was in a situation where it was deliver the baby or she was going to die. So, this is a day that is extremely important to me and something that I want to recognize. Happy Birthday to Master Kai."

MOTION

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

MESSAGE FROM THE HOUSE

February 14, 2020

MR. PRESIDENT:

The House has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 1888,
HOUSE BILL NO. 2305,
SUBSTITUTE HOUSE BILL NO. 2326,
HOUSE BILL NO. 2345,
HOUSE BILL NO. 2380,

SECOND SUBSTITUTE HOUSE BILL NO. 2386,
SUBSTITUTE HOUSE BILL NO. 2419,
SUBSTITUTE HOUSE BILL NO. 2426,
SUBSTITUTE HOUSE BILL NO. 2441,
SUBSTITUTE HOUSE BILL NO. 2448,
SUBSTITUTE HOUSE BILL NO. 2621,

SECOND SUBSTITUTE HOUSE BILL NO. 2737,
SUBSTITUTE HOUSE BILL NO. 2883,

SUBSTITUTE HOUSE JOINT MEMORIAL NO. 4014,
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

REMARKS BY SENATOR LIAS

Senator Liias: "Thank you Mr. President. And I appreciate Senator Sheldon reminding me to remind all of our members that Monday is Children's Day and we will have special commemoration of that beginning at 9:00 o'clock in the morning. And, since Senator Becker highlighted her rich anniversary this week, I just want to congratulate my parents on celebrating their 40th wedding anniversary last Sunday. And I left the 40 roses there

for them and then promptly left to Olympia to come back here to work. So, it is a special weekend for them and congrats to Senator Becker again."

MOTION

At 4:15 p.m., on motion of Senator Liias, the Senate adjourned until 9:00 o'clock a.m. Monday, February 17, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

THIRTY SIXTH DAY

MORNING SESSION

Senate Chamber, Olympia
Monday, February 17, 2020

The Senate was called to order at 9:06 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present with the exception of Senator Fortunato.

The Sergeant at Arms Color Guard consisting of Pages Miss LouLou Tarlach and Miss Josephine Neubauer, presented the Colors. Page Miss MacKenzie Jones led the Senate in the Pledge of Allegiance. The prayer was offered by Reverend Mary Gear of the Olympia Unitarian Universalist Congregation.

MOTION

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

MOTION

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed the children and other young guests of senators who were present on the floor with their respective senator in recognition and celebration of Children's Day.

MOTION

Senator Nguyen moved adoption of the following resolution:

SENATE RESOLUTION
8683

By Senators Nguyen and Kuderer

WHEREAS, The celebration of Children's Day reminds us that children deserve faith, hope, love, and commitment to their future; and

WHEREAS, Since 1925, Children's Day has been celebrated worldwide to promote the welfare of and mutual understanding and togetherness between the world's children; and

WHEREAS, Professor and author Dr. Jess Lair wrote "Children are not things to be molded, but are people to be unfolded"; and

WHEREAS, The Senate recognizes that children represent the future of our state, nation, and world; and

WHEREAS, This body has observed Children's Day since 1995 to commemorate the special place children hold in our hearts and communities and to remind us to keep children central to our efforts; and

WHEREAS, Writer Richard L. Evans noted "While we try to teach our children all about life, our children teach us what life is all about"; and

WHEREAS, Washington state's children must be cherished and deserve a nurturing, protective environment where they are able to flourish and realize their full potential; and

WHEREAS, Educator Maria Montessori said "Free the child's potential, and you will transform him into the world"; and

WHEREAS, The Senate recognizes that every child in Washington state deserves access to quality education, wholesome recreation, excellent health care, and safe communities; and

WHEREAS, Author C.S. Lewis once observed that "Children are not a distraction from more important work. They are the most important work"; and

WHEREAS, Children are the leaders of tomorrow, and it is our solemn obligation to instill in them the necessary values, convictions, goodwill, and fortitude so that they can continue the wonderful legacy of freedom, peace, and prosperity inherited from those who came before us; and

WHEREAS, Every child deserves the chance to succeed, and their future success depends on education and guidance from early childhood onward; and

WHEREAS, There can be no better measure of our governance than the way in which we treat our children; and

WHEREAS, This body recognizes that in order to thrive as a state and nation, we must empower children through policies that foster their success; and

WHEREAS, The Senate continues to support the goals of Children's Day and welcomes children into the Senate Chamber so they may witness the legislative process;

NOW, THEREFORE, BE IT RESOLVED, That the Senate encourage all Washingtonians to celebrate children on Children's Day and throughout the year by spending more quality time with them, by emphasizing their special place in our lives, and by working together daily to strengthen the foundation upon which our children will build and sustain their future.

Senator Nguyen spoke in favor of adoption of the resolution.

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

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

PERSONAL PRIVILEGE

Senator Becker: "Thank you Mr. President. If my grandson can stand up? I'm going to embarrass him. This is my grandson that I was talking about turning sixteen on Friday, the one that was born and stayed at the 'NICU' at the University of Washington. Thank you, University of Washington. For 60 days, my daughter Reena who was there every single day from Puyallup to make sure that her voice was heard, and her husband's voice was heard. So, just wanted to say a point of personal privilege and I wanted to say thank you for bringing the Children's Day forward every year."

INTRODUCTION OF SPECIAL GUEST

The President welcomed and introduced Congressman Denny Heck, who was seated at the rostrum.

MOTION

Senator Hunt moved adoption of the following resolution:

SENATE RESOLUTION
8680

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

By Senators Hunt, Zeiger, O'Ban, Conway, Sheldon, Van De Wege, Wilson, C., Darneille, Becker, Takko, Cleveland, Billig, Liias, McCoy, Rivers, Wilson, L., and Kuderer

WHEREAS, Dennis "Denny" Lynn Heck was born in Vancouver, Washington, on July 29, 1952; and

WHEREAS, Denny grew up in Clark County, Washington, and graduated from Columbia River High School in Vancouver; and

WHEREAS, Denny attended The Evergreen State College the first year it opened and graduated with a Bachelor of Arts degree in 1973; and

WHEREAS, While at Evergreen, Denny began his career in government as an intern in the Washington State Legislature, and learned much about state government from his friend and mentor, former Senator Al Bauer; and

WHEREAS, Denny met Paula Fruci, a dedicated educator, and they married in 1976; and

WHEREAS, At the age of twenty-four, Denny was elected to the Washington State House of Representatives in 1976, representing the 17th Legislative District, which included Clark, Skamania, and Klickitat Counties, and was called a wonderkind; and

WHEREAS, Denny served five terms in the Washington House where his peers elected him Majority Leader; and

WHEREAS, Denny, an ardent supporter of education, fought for the improvement of Washington's public schools as a prime author of Washington's Basic Education Act of 1977; and

WHEREAS, Denny was elected Chief Clerk of the Washington State House of Representatives in 1985; and

WHEREAS, Denny served as Governor Booth Gardner's Chief of Staff from 1990 to 1993; and

WHEREAS, Denny, being an extraordinary champion of open government, cofounded TVW: Washington's Public Affairs Network, which has provided Washingtonians with "gavel-to-gavel" coverage of the Legislature since 1993; and

WHEREAS, Denny has dedicated his life to creating educational and historical content about Washington, such as TVW's "Inside Olympia;" his one-man play "Our Times", which contemplated transformative events in Washington history; and the Emmy award-winning documentary about the Washington State Supreme Court titled *Supreme Justice*; and

WHEREAS, Denny and Paula provided initial funding that established the Principals' Emergency Checkbook Fund within the Olympia Schools Foundation to assist low-income students; and

WHEREAS, Being an alumnus and a great advocate of The Evergreen State College, he was appointed by Governor Christine Gregoire in 2009 to Evergreen's Board of Trustees where he served for two years and championed the establishment of Evergreen's Tacoma Program; and

WHEREAS, On November 6, 2012, Denny was elected to the United States House of Representatives as the first member of the newly created 10th Congressional District; and

WHEREAS, One of his first acts as a Member of Congress was spearheading the State Route 167 Completion Coalition with leaders in Pierce County; and

WHEREAS, In these times of sharp partisan differences in Congress, Denny has built a reputation as someone who seeks bipartisan solutions and works across the aisle on issues; and

WHEREAS, Denny and fellow Congressman Derek Kilmer share a residence in Washington, D.C., and are known as "The Odd Couple;" and

WHEREAS, Denny serves on the House Permanent Select Committee on Intelligence, overseeing elements of the United

States Government's Intelligence Community and the Military Intelligence Program; and

WHEREAS, Denny became known for his insightful questioning and comments, especially during recent House Intelligence Committee hearings; and

WHEREAS, Denny has been a vocal advocate for military families and veterans, including helping a soldier receive a Purple Heart after authorities overlooked his injuries; and

WHEREAS, In order to create solutions to housing issues that face Washington State and the nation, Denny formed and cochaired the New Democrat Coalition Housing Task Force, helped pass the Reverse Mortgage Stabilization Act of 2013, and introduced the Build More Housing Near Transit Act and the Fulfilling the Promise of the Housing Trust Fund Act; and

WHEREAS, Denny has fought to restore and preserve Washington's beautiful Puget Sound, cofounding the Puget Sound Recovery Caucus, introducing the Promoting United Government Efforts to Save Our Sound Act, and introducing the Green Stormwater Infrastructure Financing Investment; and

WHEREAS, Denny honored Billy Frank Jr. through the sponsorship of the Billy Frank Jr. Tell Your Story Act, which renamed the Nisqually National Wildlife Refuge after the late Native American environmental and civil rights activist; and

WHEREAS, Denny fought for the financial interests of his constituents as the only member from the Pacific Northwest on the Committee on Financial Services and led the reauthorization of the job-creating Export-Import Bank; and

WHEREAS, During his time in the United States House of Representatives, he has prioritized building the economy and fighting for the middle class; and

WHEREAS, Denny is a member of the New Democratic Coalition, a caucus of House Democrats favoring economic growth and innovation; and

WHEREAS, After forty-five years of service to the people of Washington State, Denny announced that he will not seek reelection in 2020; and

WHEREAS, Denny plans to spend more time at his longtime home in Olympia with his beloved wife of nearly forty-four years, Paula; his sons, Bob and Trey; his grandchild, Maleah; and his family and friends; and

WHEREAS, Denny will now have more time to engage in some favorite, but neglected, activities like watching all the movies he wants, writing, and sharpening his pinochle skills (which need some work); and

WHEREAS, Denny and Paula should have enough frequent flyer miles from all those weekly transcontinental flights to travel where and when they want;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the outstanding career of Denny Heck and express admiration for his work and dedication to the citizens 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 Congressman Denny Heck and members of his family.

Senators Hunt, Zeiger, Cleveland, Padden, Carlyle, Rivers, Frockt, Walsh, O'Ban, Becker 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. 8680.

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

REMARKS BY THE PRESIDENT

President Habib: "I am going to offer Denny a moment to address this chamber. I don't know if he knows he was going to do this but he's a politician so he's always ready. But before I, before I do that, let me first say personally echo what the body has said as he will know having been Chief Clerk of the House that since the cutoff is coming up in a couple of days this was our abbreviated floor plan for this resolution but I know that every member would speak if given time I just want to say that for me personally Denny, his hallmark is that, can be captured in this anecdote which is that often times when Denny will say to me 'how are you doing?' and I'll say 'Oh, I'm good you know this is my bill as it did in rules or you know I'm good of you know I'm beating the competition in fund raising' or whatever it is you know he'll say 'no no no I said How are you doing how are you doing?' and that's who he is he cares about the person way more than even policy of which he's very very well acquainted or politics which he also knows backwards and forwards but he cares about individuals and I think that's why you saw so many Republicans as well as Democrats speaking."

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Congressman Derek Kilmer; Mrs. Paula Heck, spouse of Congressman Denny Heck; Bob Heck, son of Congressman Denny Heck; Laura Adler, District Director for Congressman Heck; and Dallas Roberts, Deputy District Director for Congressman Heck who were seated in the gallery.

REMARKS BY CONGRESSMAN DENNY HECK

Congressman Heck: "Thank you Mr. President. Thank you very much for this honor. Senator Hunt, Senator Zeiger and for all of you who spoke. Incredibly kind though it's a bit eerie as though it feels like it's the first stop on the farewell tour. I couldn't ask for more spectacular one, so kind of you. Thank you. I want to thank my friends who are here as well as my wife Paula and my son Bob. I like to say Paula and I are newlyweds we've only been married forty-four years and I'm looking forward to the next forty-four very, very much. Since I have the privilege, briefly, to say something that I want you to know that when I first entered Congress I adopted for myself two standards: the first of which is that I would never personalize a disagreement with somebody over policy, and, the second was, I would never, ever stop looking for common ground, even with those with whom I disagree on so much. I don't pretend that I lived up fully to these two standards that I set for myself but I, I set them and I always tried. And I ask that, and I, and I offer that to you because, if we are going to have a hope or a prayer to elevate civic discourse in this country, I think they're pretty two good touchstones. Don't personalize policy disagreements, and always look for common ground. Lastly, I want to thank you, not just for today but for all the spectacular work you do within this building and this chamber. It was, in fact, forty-seven years ago that I began my adult career, as a committee clerk, and then, as a member of the first Office of Program Research in the House. And then, as indicated, went on to serve in the House as a member, as chief clerk, and then, on the second floor, and then covering it, as we setup TVW. And I can tell you, in all sincerity, that it wouldn't matter if I had served fifty years back in the United States Capitol -- which was never my plan, this building, this building is deep in my soul and deep in my DNA. Thank you for all that you do on behalf of the people of this state. And thank you so very, very much for this honor today."

MOTION

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

MESSAGES FROM THE HOUSE

February 16, 2020

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1154,
SECOND SUBSTITUTE HOUSE BILL NO. 1853,
HOUSE BILL NO. 2197,
HOUSE BILL NO. 2252,
SUBSTITUTE HOUSE BILL NO. 2306,
SECOND SUBSTITUTE HOUSE BILL NO. 2310,
SUBSTITUTE HOUSE BILL NO. 2343,
HOUSE BILL NO. 2347,
SUBSTITUTE HOUSE BILL NO. 2378,
SUBSTITUTE HOUSE BILL NO. 2388,
SUBSTITUTE HOUSE BILL NO. 2400,
HOUSE BILL NO. 2474,
HOUSE BILL NO. 2491,
HOUSE BILL NO. 2497,
HOUSE BILL NO. 2512,
SUBSTITUTE HOUSE BILL NO. 2613,
HOUSE BILL NO. 2677,
SUBSTITUTE HOUSE BILL NO. 2714,
SUBSTITUTE HOUSE BILL NO. 2728,
HOUSE BILL NO. 2763,
SUBSTITUTE HOUSE BILL NO. 2768,
SUBSTITUTE HOUSE BILL NO. 2905,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SCR 8412 by Senators Das, Sheldon, Kuderer, Wilson, C., Darneille, Lovelett, Saldaña, Nguyen, Hasegawa, Billig, Mullet, Takko, Keiser, Rolfes, Hunt, Salomon, Conway, Stanford, Frockt, Hobbs, Liias, Van De Wege, Randall, Carlyle, Holy, Braun, Hawkins, Dhingra, Pedersen and Wellman

Concerning modernization of legislative operations.

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

HB 1201 by Representatives Kilduff, Klippert, Leavitt, Reeves, Mosbrucker, Dolan, Slatter, Goodman, Ortiz-Self, Lovick, Stanford and Young

AN ACT Relating to the Washington national guard postsecondary education grant program; and amending RCW 28B.103.010, 28B.103.020, and 28B.103.030.

Referred to Committee on Higher Education & Workforce Development.

HB 1242 by Representatives Blake and Walsh

AN ACT Relating to the authorization to impose special excise taxes on the sale of lodging; amending RCW 67.28.181 and 82.14.410; providing an effective date; and declaring an emergency.

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

Referred to Committee on Local Government.

ESHB 1598 by House Committee on Local Government (originally sponsored by Doglio, Dolan, Pollet and Macri)

AN ACT Relating to providing code cities of a certain size with the ability to annex unincorporated areas without a referendum provision pursuant to a jointly approved interlocal agreement with the county; adding a new section to chapter 35A.14 RCW; and creating a new section.

Referred to Committee on Local Government.

2SHB 1633 by House Committee on Transportation (originally sponsored by Goehner, Entenman, Orcutt, Barkis, Boehnke, Steele, Chapman, Mead, Eslick and Van Werven)

AN ACT Relating to making permanent the posting of fuel tax rate information at fuel pumps; and adding a new section to chapter 82.38 RCW.

Referred to Committee on Transportation.

2SHB 1661 by House Committee on Appropriations (originally sponsored by Chandler and Ormsby)

AN ACT Relating to the higher education retirement plans; amending RCW 28B.10.423, 41.45.050, 41.45.060, and 41.50.075; adding a new section to chapter 41.50 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SHB 2017 by House Committee on Appropriations (originally sponsored by Frame, Dolan, Fitzgibbon, Stanford, Kilduff, Macri, Ryu, Valdez, Tarleton and Pollet)

AN ACT Relating to collective bargaining for administrative law judges; amending RCW 34.12.030 and 34.12.100; reenacting and amending RCW 41.80.005 and 41.80.010; adding a new section to chapter 41.80 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Labor & Commerce.

SHB 2200 by House Committee on Housing, Community Development & Veterans (originally sponsored by Klippert, Kilduff, Leavitt, Van Werven, Griffey and Volz)

AN ACT Relating to creating the position of military spouse liaison; adding a new section to chapter 43.60A RCW; and creating a new section.

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

HB 2230 by Representatives Gregerson, Stokesbary, Entenman, Walsh, Sullivan, Leavitt, Gildon, Ormsby, Santos, Lekanoff and Pollet

AN ACT Relating to subjecting federally recognized Indian tribes to the same conditions as state and local governments for property owned exclusively by the tribe; amending RCW 84.36.010; amending 2017 c 323 s 301 (uncodified);

repealing 2014 c 207 s 14, and 2015 3rd sp.s. c 6 s 2306 (uncodified); and creating a new section.

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

ESHB 2231 by House Committee on Public Safety (originally sponsored by Pellicciotti, Hudgins, Appleton, Davis, Gregerson, Santos, Frame, Pollet, Fitzgibbon, Thai, Bergquist, Ormsby, Wylie, Pettigrew, Peterson and Riccelli)

AN ACT Relating to bail jumping; amending RCW 9A.76.170; adding a new section to chapter 9A.76 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

2SHB 2277 by House Committee on Appropriations (originally sponsored by Peterson, Ortiz-Self, Frame, Goodman, Kilduff, Callan, Senn, Lovick, Thai, Fitzgibbon, Leavitt, Ryu, Appleton, Valdez, Davis, Ormsby, Macri, Doglio, Gregerson and Pollet)

AN ACT Relating to youth solitary confinement; amending RCW 13.04.116; and adding a new chapter to Title 13 RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SHB 2302 by House Committee on Civil Rights & Judiciary (originally sponsored by Kilduff)

AN ACT Relating to child support, but only with respect to standards for determination of income, abatement of child support for incarcerated obligors, modification of administrative orders, and notices of support owed; amending RCW 26.19.011, 26.19.071, 26.23.050, 74.20A.055, 74.20A.059, 26.09.170, and 26.23.110; reenacting and amending RCW 74.20A.056; adding new sections to chapter 26.09 RCW; creating a new section; and providing an effective date.

Referred to Committee on Law & Justice.

ESHB 2318 by House Committee on Public Safety (originally sponsored by Orwall, Lovick, Slatter, Morgan, Wylie, Mosbrucker and Pollet)

AN ACT Relating to advancing criminal investigatory practices; amending RCW 5.70.010, 70.125.090, 70.125.100, 43.43.545, and 43.43.754; adding a new section to chapter 43.101 RCW; adding new sections to chapter 5.70 RCW; recodifying RCW 70.125.090 and 70.125.100; providing an effective date; and providing an expiration date.

Referred to Committee on Law & Justice.

ESHB 2327 by House Committee on College & Workforce Development (originally sponsored by Pollet, Kilduff, Frame, Bergquist, Orwall, Wylie and Appleton)

AN ACT Relating to addressing sexual misconduct at postsecondary educational institutions; adding new sections to chapter 28B.112 RCW; adding a new section to chapter 42.56 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SHB 2393 by House Committee on Public Safety (originally sponsored by Goodman, Klippert, Davis, Ormsby and Appleton)

AN ACT Relating to earning credit for complying with community custody conditions; amending RCW 9.94A.501; adding a new section to chapter 9.94A RCW; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SHB 2394 by House Committee on Public Safety (originally sponsored by Klippert, Goodman, Davis, Ormsby and Appleton)

AN ACT Relating to community custody; amending RCW 9.94A.589 and 9.94B.050; creating new sections; and prescribing penalties.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SHB 2417 by House Committee on Public Safety (originally sponsored by Davis and Peterson)

AN ACT Relating to individuals serving community custody terms; amending RCW 9.94A.737, 9.94A.631, and 9.94A.716; adding a new section to chapter 72.09 RCW; and creating new sections.

Referred to Committee on Human Services, Reentry & Rehabilitation.

ESHB 2421 by House Committee on Appropriations (originally sponsored by Tarleton, Pollet and Doglio)

AN ACT Relating to state reimbursement of election costs; amending RCW 29A.04.410, 29A.04.420, 29A.04.216, 29A.04.430, 29A.64.081, and 29A.32.210; adding a new section to chapter 29A.04 RCW; making an appropriation; and providing an effective date.

Referred to Committee on Ways & Means.

ESHB 2455 by House Committee on Human Services & Early Learning (originally sponsored by Kilduff, Eslick, Senn, Ryu, Kloba, Valdez, Bergquist, Davis, Pollet, Goodman and Wylie)

AN ACT Relating to supporting access to child care for parents who are attending high school or working toward completion of a high school equivalency certificate; amending RCW 28A.160.010; adding a new section to chapter 43.216 RCW; and adding a new section to chapter 28A.160 RCW.

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

SHB 2456 by House Committee on Appropriations (originally sponsored by Callan, Eslick, Ramos, Ryu, Shewmake, Chapman, Senn, Frame, Thai, Bergquist, Kilduff, Stonier, Tharinger, Davis, Macri, Pollet, Goodman, Wylie and Doglio)

AN ACT Relating to working connections child care eligibility; amending RCW 28B.50.248; reenacting and

amending RCW 43.216.135; adding a new section to chapter 43.216 RCW; and providing an effective date.

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

E2SHB 2467 by House Committee on Appropriations (originally sponsored by Hansen, Irwin, Griffey, Barkis and Wylie)

AN ACT Relating to establishing a centralized single point of contact background check system for firearms transfers; amending RCW 9.41.114, 43.43.823, 36.28A.405, and 36.28A.420; adding new sections to chapter 43.43 RCW; adding a new section to chapter 9.41 RCW; repealing RCW 36.28A.400; and providing a contingent effective date.

Referred to Committee on Law & Justice.

HB 2484 by Representatives Van Werven, Springer and Cody

AN ACT Relating to sunshine committee recommendations regarding juveniles; amending RCW 7.69A.020, 7.69A.030, 10.97.130, 13.50.050, and 42.56.240; and reenacting and amending RCW 42.56.230.

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

SHB 2525 by House Committee on Human Services & Early Learning (originally sponsored by Callan, Corry, Eslick, Springer, Orwall, Ortiz-Self, Shewmake, Goodman, Senn, Caldier, Dent, Leavitt, Davis, Doglio, J. Johnson and Pollet)

AN ACT Relating to establishing the family connections program; amending RCW 2.70.060, 2.70.070, 2.70.080, 2.70.090, and 74.13.802; adding a new section to chapter 74.13 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 2542 by Representatives Paul, Dufault, Kilduff, Leavitt, Peterson, Graham, Smith, Volz, Ormsby and Shea

AN ACT Relating to tuition waivers for children of eligible veterans; and amending RCW 28B.15.621.

Referred to Committee on Higher Education & Workforce Development.

SHB 2543 by House Committee on College & Workforce Development (originally sponsored by Paul, Dufault, Kilduff, Leavitt, Peterson, Graham, Smith, Davis, Volz and Ormsby)

AN ACT Relating to ensuring eligible veterans and their dependents qualify for in-state residency; and amending RCW 28B.15.012.

Referred to Committee on Higher Education & Workforce Development.

SHB 2544 by House Committee on Appropriations (originally sponsored by Paul, Dufault, Leavitt, Graham, Smith, Volz and Ormsby)

AN ACT Relating to the definition of veteran; amending RCW 41.04.005; and creating a new section.

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

Referred to Committee on Ways & Means.

SHB 2556 by House Committee on Human Services & Early Learning (originally sponsored by Dent, Corry, Eslick, Caldier, Klippert, Jenkin, Griffey, McCaslin, Mosbrucker, Gildon, Dufault and Tharinger)

AN ACT Relating to providing regulatory relief for early learning providers; adding a new section to chapter 43.216 RCW; creating new sections; and providing an expiration date.

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

SHB 2614 by House Committee on Labor & Workplace Standards (originally sponsored by Robinson, Doglio, Sells, Lekanoff, Tharinger and Ormsby)

AN ACT Relating to paid family and medical leave; amending RCW 50A.05.010, 50A.10.010, 50A.10.040, 50A.15.020, 50A.15.060, 50A.15.080, 50A.15.100, 50A.25.070, 50A.30.010, 50A.30.035, 50A.40.010, 50A.40.020, 50A.40.030, 50A.50.010, and 26.23.060; adding new sections to chapter 50A.40 RCW; adding a new section to chapter 50A.05 RCW; and declaring an emergency.

Referred to Committee on Labor & Commerce.

HB 2619 by Representatives Shewmake, Chapman, Ramel, Springer, Van Werven, Senn, Doglio, Goodman and Tharinger

AN ACT Relating to increasing early learning access through licensing, eligibility, and rate improvements; amending RCW 43.216.514 and 43.216.305; adding a new section to chapter 43.216 RCW; creating new sections; and providing expiration dates.

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

SHB 2622 by House Committee on Civil Rights & Judiciary (originally sponsored by Kilduff, Walen, Senn, Pollet and Davis)

AN ACT Relating to procedures for ensuring compliance with court orders requiring surrender of firearms, weapons, and concealed pistol licenses; and amending RCW 9.41.801 and 7.94.090.

Referred to Committee on Law & Justice.

HB 2624 by Representatives Shewmake, Kretz, Blake, Dent and Lekanoff

AN ACT Relating to the authority of the director of the department of agriculture with respect to certain examinations and examination fees; and amending RCW 15.58.040, 15.58.240, 17.21.030, and 17.21.134.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

ESHB 2638 by House Committee on Commerce & Gaming (originally sponsored by Peterson, MacEwen, Stonier, Harris, Robinson, Young, Ortiz-Self, Stokesbary, Tharinger, Walsh, Riccelli, Appleton,

Griffey, Hansen, Kloba, Lekanoff, Sells, Chapman, Gregerson and Ramel)

AN ACT Relating to authorizing sports wagering subject to the terms of tribal-state gaming compacts; amending RCW 9.46.070, 9.46.130, 9.46.190, 9.46.210, 9.46.220, 9.46.240, and 9.46.090; adding new sections to chapter 9.46 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Labor & Commerce.

SHB 2684 by House Committee on Transportation (originally sponsored by Shewmake, Slatter, Rude, Ortiz-Self and Kloba)

AN ACT Relating to traffic control signals; and amending RCW 46.61.055.

Referred to Committee on Transportation.

HB 2691 by Representatives Valdez, Ryu, Frame, Doglio, Dolan, Slatter, Lovick, Ortiz-Self, Fitzgibbon, Davis, Pollet and Macri

AN ACT Relating to the scope of collective bargaining for language access providers; and amending RCW 41.56.030 and 41.56.510.

Referred to Committee on Labor & Commerce.

SHB 2711 by House Committee on Education (originally sponsored by J. Johnson, Corry, Stonier, Ormsby, Appleton, Caldier, Davis, Leavitt, Lekanoff, Ramel, Senn, Chopp, Goodman, Fey, Pollet, Callan and Chambers)

AN ACT Relating to equitable educational outcomes for foster care and homeless children and youth from prekindergarten to postsecondary education; amending RCW 74.13.1051; adding a new section to chapter 28A.300 RCW; creating a new section; repealing RCW 28A.300.8001; and providing an expiration date.

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

ESHB 2722 by House Committee on Environment & Energy (originally sponsored by Mead, Fitzgibbon, Peterson, Doglio, Goodman, Gregerson, Slatter, Tarleton, Davis, Duerr, Ramel, Walen, Cody, Senn and Pollet)

AN ACT Relating to minimum recycled content requirements; adding a new section to chapter 42.56 RCW; adding a new chapter to Title 70 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SHB 2725 by House Committee on Human Services & Early Learning (originally sponsored by Ortiz-Self, Morgan, Frame, Kilduff, Lovick, Callan and Leavitt)

AN ACT Relating to foster resource parents; amending RCW 74.13.250; adding a new section to chapter 74.13 RCW; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SHB 2730 by House Committee on Civil Rights & Judiciary (originally sponsored by Kilduff, Ryu, Klippert, Appleton, Caldier, Davis, Leavitt and Ormsby)

AN ACT Relating to military spouse employment; adding a new section to chapter 73.16 RCW; and adding a new section to chapter 38.42 RCW.

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

HB 2762 by Representatives Rude, Irwin and Lovick

AN ACT Relating to extending the peer support group testimonial privilege to include staff persons of the department of corrections; and amending RCW 5.60.060.

Referred to Committee on Law & Justice.

SHB 2787 by House Committee on Human Services & Early Learning (originally sponsored by Callan, Harris, Eslick, Senn, Stonier, Santos, Tharinger and Pollet)

AN ACT Relating to completing the transfer of the early support for infants and toddlers program from the office of the superintendent of public instruction to the department of children, youth, and families; amending RCW 28A.155.065, 28A.150.390, 43.216.020, 43.216.576, 28A.225.225, 28A.225.270, and 43.216.015; adding a new section to chapter 43.216 RCW; creating a new section; recodifying RCW 28A.155.065; providing an effective date; and providing an expiration date.

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

HB 2809 by Representatives Caldier, Kilduff and Pollet

AN ACT Relating to essential needs and housing support eligibility; and amending RCW 74.04.805.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 2848 by Representatives Chapman, Orcutt, Tharinger, Walsh, Blake, Tarleton, Springer, Maycumber, Fitzgibbon and Lekanoff

AN ACT Relating to changing the expiration date for the sales and use tax exemption of hog fuel to coincide with the 2045 deadline for fossil fuel-free electrical generation in Washington state and to protect jobs with health care and retirement benefits in economically distressed communities; amending RCW 82.08.956, 82.12.956, and 82.32.605; creating new sections; and providing expiration dates.

Referred to Committee on Environment, Energy & Technology.

2SHB 2864 by House Committee on Appropriations (originally sponsored by Paul, Morgan, Valdez, Bergquist, Lekanoff and Santos)

AN ACT Relating to establishing a running start summer school pilot program; 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.

SHB 2865 by House Committee on Human Services & Early Learning (originally sponsored by Chambers, Shewmake, Dent, McCaslin, Callan, Gildon, Senn and Eslick)

AN ACT Relating to informing families of kindergarten readiness standards; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 43.216 RCW; adding a new section to chapter 74.04 RCW; adding a new section to chapter 43.70 RCW; adding a new section to chapter 74.09 RCW; and creating a new section.

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

SHB 2868 by House Committee on Finance (originally sponsored by Blake and Walsh)

AN ACT Relating to allowing for extensions of the special valuation of historic property for certain properties; amending RCW 84.26.070 and 84.26.050; and creating a new section.

Referred to Committee on Local Government.

SHB 2873 by House Committee on Human Services & Early Learning (originally sponsored by J. Johnson, Frame, Ramel, Callan, Hudgins, Ryu, Davis, Orwall and Pollet)

AN ACT Relating to families in conflict; amending RCW 13.32A.030, 13.32A.040, and 13.32A.150; and adding a new section to chapter 13.32A RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 2926 by Representatives Maycumber, Blake, Kretz, MacEwen, Van Werven, Mosbrucker, Graham, Hoff, Griffey, Stokesbary, Chambers, Ybarra, Dent, Barkis, Goehner, Chandler, Kraft, Goodman, Lovick, Ortiz-Self, Senn, Gildon, Sells, Boehnke, Davis, Smith, Dye, Orwall, Eslick, Shewmake, Pollet, Riccelli and Harris

AN ACT Relating to expanding access to critical incident stress management programs; adding new sections to chapter 36.28A RCW; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

HJM 4016 by Representatives Riccelli, Volz, Graham, Fey, Lovick, Valdez, Maycumber, Leavitt, Tarleton, Shea and Ormsby

Requesting to commence proceedings in naming state route number 902 the Gold Star Memorial Highway.

Referred to Committee on Transportation.

MOTION

On motion of Senator Liias, 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. 2421 which had been designated to the Committee on State Government, Tribal Relations & Elections and was referred to the Committee on Ways & Means.

MOTION

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

At 9:46 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

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

The Senate was called to order at 10:41 a.m. by President Habib.

MOTION

On motion of Senator Liias, 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.

MOTION TO LIMIT DEBATE

Pursuant to Rule 29, on motion of Senator Liias 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 Liias, the Senate advanced to the seventh order of business.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Cleveland moved that Bahram Bagherpour, Senate Gubernatorial Appointment No. 9128, be confirmed as a member of the State Board for Community and Technical Colleges.

Senator Cleveland spoke in favor of the motion.

MOTION

On motion of Senator Rivers, Senators Ericksen and Fortunato were excused.

APPOINTMENT OF BAHRAM BAGHERPOUR

The President declared the question before the Senate to be the confirmation of Bahram Bagherpour, Senate Gubernatorial Appointment No. 9128, as a member of the State Board for Community and Technical Colleges.

The Secretary called the roll on the confirmation of Bahram Bagherpour, Senate Gubernatorial Appointment No. 9128, as a member of the State Board for Community and Technical Colleges and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer,

Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Ericksen and Fortunato

Bahram Bagherpour, Senate Gubernatorial Appointment No. 9128, having received the constitutional majority was declared confirmed as a member of the State Board for Community and Technical Colleges.

MOTION

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

SECOND READING

SENATE BILL NO. 6306, by Senators Liias, Van De Wege, Warnick, Rolfes, Short, Nguyen, Das, Lovelett, Randall, Saldaña, and Wilson, C.

Creating the Washington soil health initiative.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 6306 was substituted for Senate Bill No. 6306 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. 6306 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and Warnick 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. 6306.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6306 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SUBSTITUTE SENATE BILL NO. 6306, having received the 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, the Senate advanced to the seventh order of business.

THIRD READING

SECOND SUBSTITUTE SENATE BILL NO. 5093, by Senate Committee on Transportation (originally sponsored by Fortunato)

Enhancing litter control along state highways.

The bill was read on Third Reading.

Senators Short and Becker 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. 5093.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5093 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 5093, having received the 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, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6187, by Senator Zeiger

Modifying the definition of personal information for notifying the public about data breaches of a state or local agency system.

The measure was read the second time.

MOTION

On motion of Senator Zeiger, the rules were suspended, Senate Bill No. 6187 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Zeiger 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. 6187.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6187 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer,

Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Ericksen and Fortunato

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. 6540, by Senators Wilson, C., Wellman, Dhingra, Hasegawa, Kuderer and Saldaña

Concerning working connections child care payment authorizations.

MOTION

On motion of Senator Wilson, C., Substitute Senate Bill No. 6540 was substituted for Senate Bill No. 6540 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Wilson, C. moved that the following floor amendment no. 1056 by Senator Wilson, C. be adopted:

On page 6, after line 18, insert the following:
 "NEW SECTION. **Sec. 5.** This act takes effect January 1, 2021."

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

On page 1, line 4 of the title, after "section" insert "; and providing an effective date"

Senator Wilson, C. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1056 by Senator Wilson, C. on page 6, after line 18 to Substitute Senate Bill No. 6540.

The motion by Senator Wilson, C. carried and floor amendment no. 1056 was adopted by voice vote.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Engrossed Substitute Senate Bill No. 6540 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, C. 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. 6540.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6540 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon,

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Becker, Braun, Brown, Holy, Honeyford, King, Muzzall, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick and Wilson, L.

Excused: Senators Ericksen and Fortunato

Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6540, having received the 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 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

SECOND READING

SENATE BILL NO. 6342, by Senators Dhingra, Das, Lovelett, Mullet, Stanford, and Wilson, C.

SENATE BILL NO. 6135, by Senators Sheldon, Carlyle and Short

Concerning chemical contaminants in drinking water.

Concerning system reliability under the clean energy transformation act. Revised for 1st Substitute: Concerning system reliability during the clean energy transformation act implementation.

MOTION

MOTIONS

On motion of Senator Dhingra, Second 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 Sheldon, Substitute Senate Bill No. 6135 was substituted for Senate Bill No. 6135 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Short moved that the following floor amendment no. 1072 by Senator Short be adopted:

On motion of Senator Sheldon, the rules were suspended, Substitute Senate Bill No. 6135 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

On page 3, after line 20, insert the following:
 "(3) The department may not require public water systems to test for PFAS chemicals until a maximum contaminant level has been established for PFAS chemicals."

Senators Sheldon and Carlyle 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. 6135.

Senator Short spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

ROLL CALL

The President declared the question before the Senate to be the adoption of floor amendment no. 1072 by Senator Short on page 3, after line 20 to Second Substitute Senate Bill No. 6342.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6135 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

The motion by Senator Short did not carry and floor amendment no. 1072 was not adopted by voice vote.

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

MOTION

On motion of Senator Dhingra, the rules were suspended, Second Substitute Senate Bill No. 6342 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Excused: Senators Ericksen and Fortunato

Senators Dhingra and Sheldon spoke in favor of passage of the bill.

Senator Short 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. 6342.

SUBSTITUTE SENATE BILL NO. 6135, having received the 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

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6342 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 15; Absent, 0; Excused, 2.

SENATE BILL NO. 6210, by Senators Lovelett, Rolfes, and Wilson, C.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Stanford, Takko, Van De Wege, Wellman, Wilson, C. and Zeiger

Concerning antifouling paints on recreational water vessels.

MOTIONS

On motion of Senator Lovelett, 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 Lovelett, 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 Lovelett and Short 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 Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Ericksen and Fortunato

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. 5504, by Senators Warnick, Sheldon, Hasegawa, Hunt, Zeiger, Takko, Wagoner, Hawkins, Honeyford, Carlyle, Keiser, and Wilson, L.

Concerning state agency employee access to peer-reviewed journals. Revised for 1st Substitute: Concerning state agency employee access to peer-reviewed journals.

MOTION

On motion of Senator Warnick, Engrossed Substitute Senate Bill No. 5504 was substituted for Senate Bill No. 5504 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hasegawa moved that the following striking floor amendment no. 951 by Senator Hasegawa be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 6. The legislature finds that state agencies often do not have comprehensive electronic access to many peer-reviewed journals. As a result, state employees often must purchase specific manuscripts, outsource searches to other entities, or physically visit a university library in order to access many peer-reviewed journals. Locating a specific manuscript can take hours of staff time and is neither an efficient nor a cost-effective use of state resources. Other states have created statewide collectives for providing access to peer-reviewed

journals, resulting in both increased access to peer-reviewed journals as well as significant cost savings. In light of the benefits that other states have experienced in connection with statewide subscriptions to peer-reviewed journals, the legislature seeks to learn whether such a subscription model would be beneficial in Washington.

NEW SECTION. Sec. 7. (1) The Washington state institute for public policy shall conduct a study that identifies the extent to which state employees, or students at postsecondary institutions as defined in RCW 28B.10.016, or both, have access to peer-reviewed journals in other states. When applicable, the Washington state institute for public policy must identify the funding, organizational structures, and policy mechanisms used in other states where relevant public employees or students at postsecondary institutions have comprehensive electronic access to peer-reviewed journals, and potential barriers to similar access in Washington state. For the purposes of this section, "peer-reviewed journal" means any academic, scholarly, or scientific peer-reviewed journal.

(2) The study must be completed by December 1, 2021, and submitted in accordance with RCW 43.01.036 to the standing committees of the house of representatives and the senate with jurisdiction over environmental or natural resource issues.

(3) This section expires June 30, 2022."

On page 1, line 1 of the title, after "employee" strike the remainder of the title and insert "and postsecondary student access to peer-reviewed journals; creating new sections; and providing an expiration date."

Senators Hasegawa and Warnick spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 951 by Senator Hasegawa to Substitute Senate Bill No. 5504.

The motion by Senator Hasegawa carried and striking floor amendment no. 951 was adopted by voice vote.

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed Substitute Senate Bill No. 5504 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 Engrossed Substitute Senate Bill No. 5504.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5504 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 5504, having received the constitutional majority, was declared passed.

THIRTY SIXTH DAY, FEBRUARY 17, 2020

There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6432, by Senators Rolfes, Carlyle, Randall, Takko, Stanford, Hunt, Lovelett, Darneille, Wilson, C., Das, Keiser and Van De Wege

Concerning offshore oil extraction.

MOTION

On motion of Senator Rolfes, Substitute Senate Bill No. 6432 was substituted for Senate Bill No. 6432 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Rolfes moved that the following floor amendment no. 981 by Senator Rolfes be adopted:

On page 3, beginning on line 32, after "in" strike all material through "Juan de Fuca" on line 34 and insert "~~((the waters of Puget Sound north to the Canadian boundary and the Strait of Juan de Fuca))~~ shorelines of the state"

On page 3, at the beginning of line 35, strike all material through "jurisdiction" on line 37 and insert "~~((and on all lands within one thousand feet landward from said mark))~~"

Senator Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 981 by Senator Rolfes on page 3, line 32 to Substitute Senate Bill No. 6432.

The motion by Senator Rolfes carried and floor amendment no. 981 was adopted by voice vote.

MOTION

On motion of Senator Rolfes, the rules were suspended, Engrossed Substitute Senate Bill No. 6432 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Lovelett spoke in favor of passage of the bill.

Senator Short 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. 6432.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6432 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 12; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Stanford, Takko, Van De Wege, Wagoner, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Holy, Honeyford, King, Padden, Rivers, Schoesler, Short, Walsh, Warnick and Wilson, L.

Excused: Senators Erickson and Fortunato

2020 REGULAR SESSION

ENGROSSED SUBSTITUTE SENATE BILL NO. 6432, having received the 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 Liias announced a meeting of the Committee on Rules at 1:00 o'clock p.m.

MOTION

At 11:44 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator McCoy announced a meeting of the Democratic Caucus.

Senator Short announced a meeting of the Republican Caucus.

AFTERNOON SESSION

The Senate was called to order at 2:47 p.m. by President Habib.

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kuderer moved that Richard Leigh, Senate Gubernatorial Appointment No. 9141, be confirmed as a member of the Bellevue College Board of Trustees.

Senator Kuderer spoke in favor of the motion.

APPOINTMENT OF RICHARD LEIGH

The President declared the question before the Senate to be the confirmation of Richard Leigh, Senate Gubernatorial Appointment No. 9141, as a member of the Bellevue College Board of Trustees.

The Secretary called the roll on the confirmation of Richard Leigh, Senate Gubernatorial Appointment No. 9141, as a member of the Bellevue College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

Richard Leigh, Senate Gubernatorial Appointment No. 9141, having received the constitutional majority was declared confirmed as a member of the Bellevue College Board of Trustees.

MOTION

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

SECOND READING

SENATE BILL NO. 5481, by Senators Warnick, Sheldon, Short, Van De Wege, Honeyford, Wagoner, Fortunato and Holy

Establishing a coalition of commissioned officers, detectives, and sergeants of the department of fish and wildlife for the purposes of collective bargaining, including interest arbitration. Revised for 2nd Substitute: Providing department of fish and wildlife officers interest arbitration under certain circumstances.

MOTION

On motion of Senator Warnick, Second Substitute Senate Bill No. 5481 was substituted for Senate Bill No. 5481 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Warnick moved that the following striking floor amendment no. 1084 by Senator Warnick be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 41.56.030 and 2019 c 280 s 1 are each amended to read as follows:

As used in this chapter:

(1) "Adult family home provider" means a provider as defined in RCW 70.128.010 who receives payments from the medicaid and state-funded long-term care programs.

(2) "Bargaining representative" means any lawful organization which has as one of its primary purposes the representation of employees in their employment relations with employers.

(3) "Child care subsidy" means a payment from the state through a child care subsidy program established pursuant to RCW 74.12.340, 45 C.F.R. Sec. 98.1 through 98.17, or any successor program.

(4) "Collective bargaining" means the performance of the mutual obligations of the public employer and the exclusive bargaining representative to meet at reasonable times, to confer and negotiate in good faith, and to execute a written agreement with respect to grievance procedures and collective negotiations on personnel matters, including wages, hours and working conditions, which may be peculiar to an appropriate bargaining unit of such public employer, except that by such obligation neither party shall be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this chapter.

(5) "Commission" means the public employment relations commission.

(6) "Executive director" means the executive director of the commission.

(7) "Family child care provider" means a person who: (a) Provides regularly scheduled care for a child or children in the home of the provider or in the home of the child or children for periods of less than twenty-four hours or, if necessary due to the nature of the parent's work, for periods equal to or greater than twenty-four hours; (b) receives child care subsidies; and (c) under chapter 43.216 RCW, is either licensed by the state or is exempt from licensing.

(8) "Individual provider" means an individual provider as defined in RCW 74.39A.240(3) who, solely for the purposes of

collective bargaining, is a public employee as provided in RCW 74.39A.270.

(9) "Institution of higher education" means the University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, and the various state community colleges.

(10)(a) "Language access provider" means any independent contractor who provides spoken language interpreter services, whether paid by a broker, language access agency, or the respective department:

(i) For department of social and health services appointments, department of children, youth, and families appointments, medicaid enrollee appointments, or who provided these services on or after January 1, 2011, and before June 10, 2012;

(ii) For department of labor and industries authorized medical and vocational providers, or who provided these services on or after January 1, 2016, and before July 1, 2018; or

(iii) For state agencies, or who provided these services on or after January 1, 2016, and before July 1, 2018.

(b) "Language access provider" does not mean a manager or employee of a broker or a language access agency.

(11) "Public employee" means any employee of a public employer except any person (a) elected by popular vote, or (b) appointed to office pursuant to statute, ordinance or resolution for a specified term of office as a member of a multimember board, commission, or committee, whether appointed by the executive head or body of the public employer, or (c) whose duties as deputy, administrative assistant or secretary necessarily imply a confidential relationship to (i) the executive head or body of the applicable bargaining unit, or (ii) any person elected by popular vote, or (iii) any person appointed to office pursuant to statute, ordinance or resolution for a specified term of office as a member of a multimember board, commission, or committee, whether appointed by the executive head or body of the public employer, or (d) who is a court commissioner or a court magistrate of superior court, district court, or a department of a district court organized under chapter 3.46 RCW, or (e) who is a personal assistant to a district court judge, superior court judge, or court commissioner. For the purpose of (e) of this subsection, no more than one assistant for each judge or commissioner may be excluded from a bargaining unit.

(12) "Public employer" means any officer, board, commission, council, or other person or body acting on behalf of any public body governed by this chapter, or any subdivision of such public body. For the purposes of this section, the public employer of district court or superior court employees for wage-related matters is the respective county legislative authority, or person or body acting on behalf of the legislative authority, and the public employer for nonwage-related matters is the judge or judge's designee of the respective district court or superior court.

(13) "Uniformed personnel" means: (a) Law enforcement officers as defined in RCW 41.26.030 employed by the governing body of any city or town with a population of two thousand five hundred or more and law enforcement officers employed by the governing body of any county with a population of ten thousand or more; (b) correctional employees who are uniformed and nonuniformed, commissioned and noncommissioned security personnel employed in a jail as defined in RCW 70.48.020(9), by a county with a population of seventy thousand or more, in a correctional facility created under RCW 70.48.095, or in a detention facility created under chapter 13.40 RCW that is located in a county with a population over one million five hundred thousand, and who are trained for and charged with the responsibility of controlling and maintaining custody of inmates in the jail and safeguarding inmates from other inmates; (c)

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

general authority Washington peace officers as defined in RCW 10.93.020 employed by a port district in a county with a population of one million or more; (d) security forces established under RCW 43.52.520; (e) firefighters as that term is defined in RCW 41.26.030; (f) employees of a port district in a county with a population of one million or more whose duties include crash fire rescue or other firefighting duties; (g) employees of fire departments of public employers who dispatch exclusively either fire or emergency medical services, or both; (h) employees in the several classes of advanced life support technicians, as defined in RCW 18.71.200, who are employed by a public employer; or (i) court marshals of any county who are employed by, trained for, and commissioned by the county sheriff and charged with the responsibility of enforcing laws, protecting and maintaining security in all county-owned or contracted property, and performing any other duties assigned to them by the county sheriff or mandated by judicial order.

(14) "Fish and wildlife officer" means a fish and wildlife officer as defined in RCW 77.08.010 who ranks below lieutenant and includes officers, detectives, and sergeants of the department of fish and wildlife.

NEW SECTION. Sec. 2. A new section is added to chapter 41.56 RCW to read as follows:

(1) In addition to the entities listed in RCW 41.56.020, this chapter applies to the state with respect to fish and wildlife officers except the state may not negotiate any matters relating to retirement benefits or health care benefits or other employee insurance benefits.

(2) For the purposes of negotiating wages, wage-related matters, and nonwage matters, the state shall be represented by the governor or the governor's designee who is appointed under RCW 41.80.010, and costs of the negotiations under this section shall be reimbursed as provided in RCW 41.80.140.

(3) Fish and wildlife officers shall be excluded from the coalition bargaining for a master agreement of all exclusive bargaining representatives of fewer than five hundred employees under chapter 41.80 RCW.

(4) The governor or the governor's designee shall consult with the director of fish and wildlife regarding collective bargaining.

(5) The negotiation of provisions pertaining to wages and wage-related matters in a collective bargaining agreement between the state and the bargaining representatives of the fish and wildlife officers is subject to the following:

(a) The state's bargaining representative must periodically consult with the committee of the joint committee on employment relations created in RCW 41.80.007 or any such successor committee for the joint committee on employment relations; and

(b) Provisions that are entered into before the legislature approves the funds necessary to implement the provisions are conditioned upon the legislature's subsequent approval of the funds.

(6) The governor shall submit a request for funds necessary to implement the wage and wage-related matters in the collective bargaining agreement or for legislation necessary to implement the agreement. Requests for funds necessary to implement the provisions of bargaining agreements may not be submitted to the legislature by the governor unless such requests:

(a) Have been submitted to the director of financial management by October 1st before the legislative session at which the requests are to be considered; and

(b) Have been certified by the director of financial management as being feasible financially for the state or reflects the decision of an arbitration panel reached under RCW 41.56.475.

NEW SECTION. Sec. 3. A new section is added to chapter 41.56 RCW to read as follows:

In addition to the classes of employees listed in RCW 41.56.030(13), the provisions of RCW 41.56.430, 41.56.440, 41.56.450, 41.56.452, 41.56.470, 41.56.480, and 41.56.490 also apply to fish and wildlife officers as provided in this section. If more than one exclusive bargaining unit represents uniformed personnel who are fish and wildlife officers, they may choose to enter into separate bargaining with the employer or agree to conduct bargaining with the employer as one coalition of all the exclusive bargaining representatives. If more than one bargaining unit chooses to advance to interest arbitration, it shall be conducted as coalition. However, one exclusive bargaining representative may singly choose to exercise its right to engage in interest arbitration even if other exclusive bargaining representatives who have chosen to enter into separate bargaining have elected not to take that step. Any exclusive bargaining representative of uniformed personnel who are fish and wildlife officers choosing interest arbitration is subject to the following:

(1) Within ten working days after the first Monday in September of every odd-numbered year, the state's bargaining representative and the bargaining representative for the appropriate bargaining unit(s) as a coalition, shall attempt to agree on an interest arbitration panel consisting of three members to be used if the parties are not successful in negotiating a comprehensive collective bargaining agreement. Each party shall name one person to serve as its arbitrator on the arbitration panel. The two members so appointed shall meet within seven days following the appointment of the later appointed member to attempt to choose a third member to act as the neutral chair of the arbitration panel. Upon the failure of the arbitrators to select a neutral chair within seven days, the two appointed members shall use one of the two following options in the appointment of the third member, who shall act as chair of the panel: (a) By mutual consent, the two appointed members may jointly request the commission to, and the commission shall, appoint a third member within two days of such a request. Costs of each party's appointee shall be borne by each party respectively; other costs of the arbitration proceedings shall be borne by the commission; or (b) either party may apply to the commission, the federal mediation and conciliation service, or the American arbitration association to provide a list of five qualified arbitrators from which the neutral chair shall be chosen. Each party shall pay the fees and expenses of its arbitrator, and the fees and expenses of the neutral chair shall be shared equally between the parties. Immediately upon selecting an interest arbitration panel, the parties shall cooperate to reserve dates with the arbitration panel for potential arbitration between August 1st and September 15th of the following even-numbered year. The parties shall also prepare a schedule of at least five negotiation dates for the following year, absent an agreement to the contrary. The parties shall execute a written agreement before November 1st of each odd-numbered year setting forth the names of the members of the arbitration panel and the dates reserved for bargaining and arbitration. This subsection imposes minimum obligations only and is not intended to define or limit a party's full, good faith bargaining obligation under other sections of this chapter.

(2) The mediator or arbitration panel may consider only matters that are subject to bargaining under RCW 41.80.020.

(3) The decision of an arbitration panel is not binding on the legislature and, if the legislature does not approve the funds necessary to implement provisions pertaining to wages and wage-related matters of an arbitrated collective bargaining agreement, is not binding on the state or the representatives of the department of fish and wildlife.

(4) In making its determination, the arbitration panel shall be mindful of the legislative purpose enumerated in RCW 41.56.430

and, as additional standards or guidelines to aid it in reaching a decision, shall take into consideration the following factors:

- (a) The constitutional and statutory authority of the employer;
- (b) Stipulations of the parties;
- (c) Comparison of the hours and conditions of employment of personnel involved in the proceedings with the hours and conditions of employment of like personnel of like employers of similar size in the state of Washington;
- (d) Changes in any of the foregoing circumstances during the pendency of the proceedings; and
- (e) Such other factors, not confined to the foregoing, which are normally or traditionally taken into consideration in the determination of matters that are subject to bargaining under RCW 41.56.473."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "collective bargaining by fish and wildlife officers; amending RCW 41.56.030; and adding new sections to chapter 41.56 RCW."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1084 by Senator Warnick to Second Substitute Senate Bill No. 5481.

The motion by Senator Warnick carried and striking floor amendment no. 1084 was adopted by voice vote.

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5481 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick, Keiser and Braun 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. 5481.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5481 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5481, having received the 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. 6488, by Senators Rolfes, Saldaña and Van De Wege

Concerning aerial herbicides in forestlands.

MOTION

On motion of Senator Rolfes, Substitute Senate Bill No. 6488 was substituted for Senate Bill No. 6488 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Warnick moved that the following floor amendment no. 1079 by Senator Warnick be adopted:

On page 8, beginning on line 1, strike all of section 6
Renummer the remaining sections consecutively and correct any internal references accordingly.

Senators Warnick and Wagoner spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1079 by Senator Warnick on page 8, line 1 to Substitute Senate Bill No. 6488.

The motion by Senator Warnick did not carry and floor amendment no. 1079 was not adopted by voice vote.

MOTION

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 6488 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rolfes spoke in favor of passage of the bill.

Senator Wagoner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6488.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6488 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Fortunato

SUBSTITUTE 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. 6278, by Senators Carlyle, Braun, Van De Wege, Rolfes, Nguyen, Saldaña, Das, Billig and Hasegawa

Concerning water withdrawals for commercial bottled water production.

MOTION

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

On motion of Senator Van De Wege, Substitute Senate Bill No. 6278 was substituted for Senate Bill No. 6278 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Warnick moved that the following floor amendment no. 1073 by Senator Warnick be adopted:

On page 3, beginning on line 11, after "detrimental" strike all material through "interest" on line 12

Senator Warnick spoke in favor of adoption of the amendment. Senator Van De Wege spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1073 by Senator Warnick on page 3, line 11 to Substitute Senate Bill No. 6278.

The motion by Senator Warnick did not carry and floor amendment no. 1073 was not adopted by voice vote.

MOTION

Senator Warnick moved that the following floor amendment no. 1074 by Senator Warnick be adopted:

On page 3, beginning on line 15, after "containers" strike all material through "containers" on line 16 and insert ", including plastic bottles"

Senators Warnick and Van De Wege spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1074 by Senator Warnick on page 3, line 15 to Substitute Senate Bill No. 6278.

The motion by Senator Warnick carried and floor amendment no. 1074 was adopted by voice vote.

MOTION

Senator Warnick moved that the following floor amendment no. 1075 by Senator Warnick be adopted:

On page 3, beginning on line 18, strike all material through "water." on line 19 and insert "waters."

Senator Warnick spoke in favor of adoption of the amendment. Senator Van De Wege spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1075 by Senator Warnick on page 3, line 18 to Substitute Senate Bill No. 6278.

The motion by Senator Warnick did not carry and floor amendment no. 1075 was not adopted by voice vote.

MOTION

Senator Warnick moved that the following floor amendment no. 1076 by Senator Warnick be adopted:

On page 3, beginning on line 25, strike all of subsection (c)

Senator Warnick spoke in favor of adoption of the amendment.

Senator Van De Wege spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1076 by Senator Warnick on page 3, line 25 to Substitute Senate Bill No. 6278.

The motion by Senator Warnick did not carry and floor amendment no. 1076 was not adopted by voice vote.

MOTION

Senator Warnick moved that the following floor amendment no. 1077 by Senator Warnick be adopted:

On page 3, line 25, after "(c)" insert "For any application for a new appropriation for the purpose of a new commercial bottled water production facility for which a preliminary permit has been issued, the department shall give due regard to applicable local land use policies and regulations and afford deference to the county's legislative body in determining whether the proposed appropriation proves detrimental to the public interest."
(d)"

Senator Warnick spoke in favor of adoption of the amendment. Senator Van De Wege spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1077 by Senator Warnick on page 3, line 25 to Substitute Senate Bill No. 6278.

The motion by Senator Warnick did not carry and floor amendment no. 1077 was not adopted by voice vote.

MOTION

Senator Mullet moved that the following floor amendment no. 1089 by Senators Carlyle and Mullet be adopted:

On page 3, after line 26, insert the following:

"(d) This subsection does not apply to an application for a change or transfer of a surface water right or groundwater right."

Senator Mullet spoke in favor of adoption of the amendment.

Senator Warnick spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1089 by Senators Carlyle and Mullet on page 3, after line 26 to Substitute Senate Bill No. 6278.

The motion by Senator Mullet did not carry and floor amendment no. 1089 was not adopted by voice vote.

MOTION

Senator Warnick moved that the following floor amendment no. 1078 by Senator Warnick be adopted:

On page 4, after line 7, insert the following:

"NEW SECTION. Sec. 2. Section 1 of this act expires June 30, 2022."

On page 1, line 2 of the title, after "production;" strike "and" and after "90.03.290" insert "; and providing an expiration date"

Senator Warnick spoke in favor of adoption of the amendment. Senator Van De Wege spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1078 by Senator Warnick on page 4, after line 7 to Substitute Senate Bill No. 6278.

The motion by Senator Warnick did not carry and floor amendment no. 1078 was not adopted by voice vote.

MOTION

On motion of Senator Carlyle, the rules were suspended, Engrossed Substitute Senate Bill No. 6278 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.

Senators Schoesler, Warnick, Braun, Padden, Honeyford and Ericksen spoke against passage of the bill.

Senator Rolfes spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6278.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6278 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6278, having received the 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. 6430, by Senators Brown, Rolfes, Frockt, Warnick, Das and Hasegawa

Establishing a statewide industrial waste coordination program.

The measure was read the second time.

MOTION

On motion of Senator Brown, the rules were suspended, Senate Bill No. 6430 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown, Carlyle and Das 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. 6430.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6430 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt,

Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

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. 6147, by Senators Salomon, Lovelett, Wilson, C., Rolfes, Billig and Keiser

Concerning the replacement of shoreline armoring.

MOTION

On motion of Senator Salomon, Substitute Senate Bill No. 6147 was substituted for Senate Bill No. 6147 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Honeyford moved that the following floor amendment no. 970 by Senator Honeyford be adopted:

On page 1, line 6, after "(1)" strike "(a)"

On page 1, at the beginning of line 12, strike "(b)" and insert "(2)(a)"

On page 2, after line 5, insert the following:

"(b) The department must approve a permit for the replacement of a residential marine stabilization project within forty-five days upon a showing that the landowner has conducted a site assessment through a qualified professional that has considered least impactful alternatives and whose proposal ensures no net loss of fish habitat."

Senator Honeyford spoke in favor of adoption of the amendment.

Senator Van De Wege spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 970 by Senator Honeyford on page 1, line 6 to Substitute Senate Bill No. 6147.

The motion by Senator Honeyford did not carry and floor amendment no. 970 was not adopted by voice vote.

MOTION

Senator Short moved that the following floor amendment no. 968 by Senator Short be adopted:

On page 1, line 14, after "must consider" insert "options for"

On page 1, beginning on line 15, after "alternative" strike all material through "preference" on line 16 and insert "that ensures no net loss of habitat including, but not limited to, the following"

Senator Short spoke in favor of adoption of the amendment.

Senator Salomon spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 968 by Senator Short on page 1, line 14 to Substitute Senate Bill No. 6147.

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

The motion by Senator Short did not carry and floor amendment no. 968 was not adopted by voice vote.

MOTION

Senator Zeiger moved that the following floor amendment no. 974 by Senator Zeiger be adopted:

Beginning on page 1, line 15, after "fish life" strike all material through "structure." on page 2, line 5 and insert "The department may apply the same conditions to permits for replacement of marine residential shoreline stabilization projects as are applied to permits for new marine residential shoreline stabilization projects."

Senator Zeiger spoke in favor of adoption of the amendment. Senator Salomon spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 974 by Senator Zeiger on page 1, line 15 to Substitute Senate Bill No. 6147.

The motion by Senator Zeiger did not carry and floor amendment no. 974 was not adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Warnick and without objection, floor amendment no. 977 by Senator Warnick on page 1, line 15 to Substitute Senate Bill No. 6147 was withdrawn.

WITHDRAWAL OF AMENDMENT

On motion of Senator Warnick and without objection, floor amendment no. 978 by Senator Warnick on page 1, line 16 to Substitute Senate Bill No. 6147 was withdrawn.

MOTION

Senator Warnick moved that the following floor amendment no. 1070 by Senator Warnick be adopted:

Beginning on page 1, line 17, after "Remove the" strike all material through "structure." on page 2, line 5, and insert "structure and restore the beach:

(ii) Remove the structure and install native vegetation;

(iii) Remove the structure and control upland drainage;

(iv) Remove the structure and replace it with a soft structure constructed of natural materials, including bioengineering;

(v) Remove the hard structure and construct upland retaining walls;

(vi) Remove the hard structure and replace it with a hard structure located landward of the existing structure, preferably at or above the ordinary high water line; or

(vii) Remove the hard structure and replace it with hard shoreline structure in the same footprint as the existing structure."

Senators Warnick and Van De Wege spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1070 by Senator Warnick on page 1, line 17 to Substitute Senate Bill No. 6147.

The motion by Senator Warnick carried and floor amendment no. 1070 was adopted by voice vote.

MOTION

On motion of Senator Salomon, the rules were suspended, Engrossed Substitute Senate Bill No. 6147 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Salomon 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 Substitute Senate Bill No. 6147.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6147 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 16; Absent, 0; Excused, 1.

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

Voting nay: Senators Becker, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh and Wilson, L.

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE 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. 6213, by Senators Das, Carlyle, Van De Wege, Dhingra, Kuderer, Lovelett, Nguyen, Billig, Rolfes, Saldaña, Darneille, Hasegawa, Lias, Keiser, Pedersen, Stanford, Frockt, Wellman, and Wilson, C.

Concerning certain expanded polystyrene products.

MOTION

On motion of Senator Das, Second Substitute Senate Bill No. 6213 was substituted for Senate Bill No. 6213 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hawkins moved that the following floor amendment no. 1088 by Senators Hawkins and Das be adopted:

On page 2, line 30, after "June 1," strike "2022" and insert "2023"

On page 3, line 16, after "June 1," strike "2022" and insert "2023"

Senator Hawkins spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1088 by Senators Hawkins and Das on page 2, line 30 to Second Substitute Senate Bill No. 6213.

The motion by Senator Hawkins carried and floor amendment no. 1088 was adopted by voice vote.

MOTION

Senator Ericksen moved that the following floor amendment no. 1090 by Senator Ericksen be adopted:

- On page 2, line 30, after "**Sec. 3.**" insert "(1)"
 On page 2, at the beginning of line 31, strike "(1)" and insert "(a)"
 On page 2, at the beginning of line 33, strike "(2)" and insert "(b)"
 On page 2, after line 34, insert the following:
 "(2) Covered products used by restaurants or distributed to customers by restaurants are exempt from this section."

Senator Ericksen spoke in favor of adoption of the amendment. Senator Das spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1090 by Senator Ericksen on page 2, line 30 to Second Substitute Senate Bill No. 6213.

The motion by Senator Ericksen did not carry and floor amendment no. 1090 was not adopted by voice vote.

MOTION

Senator Short moved that the following floor amendment no. 1071 by Senator Short be adopted:

On page 7, after line 25, insert the following:
"NEW SECTION. Sec. 9. (1) This act does not take effect until the department of ecology identifies for each covered product feasible and available alternatives that are safer for public health and the environment.

(2) The department of ecology must provide written notice of the effective date of this act to the 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."

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

On page 7, line 28, after "**Sec. 10.**" strike "Section" and insert "Subject to the contingent effective date identified in section 9 of this act, section"

On page 7, line 30, after "**Sec. 11.**" strike "Section" and insert "Subject to the contingent effective date identified in section 9 of this act, section"

On page 1, line 4 of the title, after "effective date;" insert "providing a contingent effective date;"

Senator Short spoke in favor of adoption of the amendment. Senator Das spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1071 by Senator Short on page 7, after line 25 to Second Substitute Senate Bill No. 6213.

The motion by Senator Short did not carry and floor amendment no. 1071 was not adopted by voice vote.

MOTION

On motion of Senator Das, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6213 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Das, Lovelett and Rolfes spoke in favor of passage of the bill.

POINT OF PARLIAMENTARY INQUIRY

Senator Becker: "Thank you Mr. President. I'm just kind of wondering because I've caught a number of people that have tried to read things, that you have pointed out that if they need to read it that they have to ask your permission, but I see that not happening all of the time. Can you tell me what we should be thinking about when we actually have to read something? Thank you."

REPLY BY THE PRESIDENT

President Habib: "So, under the Senate's rules, any senator wishing to read something on the Senate floor, should seek approval, permission to do so. There is also language in Reed's Rules, which are also incorporated around reading one's remarks. So when it's been brought to my attention that someone is reading without being granted permission then I will address that. So, if there is a concern at a particular time, then I would ask that you would raise it at that moment and recognizing, also, that there is not a problem with reading from one's notes. I think we all, you all do that but the point is to avoid a circumstance where we're speaking someone else's words, not speaking in our own words. It preserves amity and, also, brevity, given the time limit that we have. So, I hope that was responsive Senator Becker."

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6213.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6213 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger
 Excused: Senator Fortunato

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6213, having received the 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. 6518, by Senators Rolfes, Van De Wege, and Wilson, C.

Reducing prenatal exposure and harm to children by limiting environmental exposure to certain pesticides.

MOTION

On motion of Senator Rolfes, Second Substitute Senate Bill No. 6518 was substituted for Senate Bill No. 6518 and the substitute bill was placed on the second reading and read the second time.

MOTION

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

Senator Rolfes moved that the following floor amendment no. 1059 by Senator Rolfes be adopted:

On page 3, line 10, after "feet" insert "or a smaller buffer of variable width, established by rule using best available technology and best management practices specific to minimizing potential drift,"

On page 3, line 20, after "label" insert "consistent with federal law"

On page 4, line 2, after "exempt" strike "from the ban"

Senators Rolfes and Warnick spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1059 by Senator Rolfes on page 3, line 10 to Second Substitute Senate Bill No. 6518.

The motion by Senator Rolfes carried and floor amendment no. 1059 was adopted by voice vote.

MOTION

Senator Van De Wege moved that the following floor amendment no. 1085 by Senator Van De Wege be adopted:

On page 3, after line 36, insert the following:

"NEW SECTION. Sec. 3. A new section is added to chapter 70.142 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, by January 1, 2022, the department of health must establish and provide a recommendation to the state board of health for a statewide maximum contaminant level for group A water systems for chlorpyrifos. By January 1, 2022, the state board of health must adopt rules to implement the recommendations for maximum contaminant levels for chlorpyrifos in group A water systems.

(2) Until the maximum contaminant level has been determined, the department of health must recommend to the state board of health a guidance value of chlorpyrifos for drinking water systems and, if exceeded, the group A water system must provide notice to consumers.

NEW SECTION. Sec. 4. A new section is added to chapter 90.48 RCW to read as follows:

Subject to the availability of amounts appropriated for this specific purpose, by January 1, 2022, the department must develop water quality standards sufficient to:

(1) Protect salmonids and other aquatic life from adverse impacts of chlorpyrifos. When developing standards, the department must take into account injury to fish, animals, vegetation, and any other aspect of the environment that impacts the survivability of salmonids;

(2) Ensure chlorpyrifos pollution of surface water will not impact groundwater. When developing standards, the department must take into account injury to children and pregnant women."

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

On page 1, line 3 of the title, after "RCW;" insert "adding a new section to chapter 70.142 RCW; adding a new section to chapter 90.48 RCW;"

Senator Van De Wege spoke in favor of adoption of the amendment.

Senator Warnick spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1085 by Senator Van De Wege on page 3, after line 36 to Second Substitute Senate Bill No. 6518.

The motion by Senator Van De Wege carried and floor amendment no. 1085 was adopted by a rising vote.

MOTION

Senator Short moved that the following floor amendment no. 1086 by Senator Short be adopted:

On page 3, line 37, after "**Sec. 3.**" insert "(1)"

On page 4, after line 3, insert the following:

"(2) Additional funding must be provided to the department of agriculture for training and enforcement of the Washington pesticide control act."

Senators Short and Van De Wege spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1086 by Senator Short on page 3, line 37 to Second Substitute Senate Bill No. 6518.

The motion by Senator Short carried and floor amendment no. 1086 was adopted by voice vote.

MOTION

Senator Warnick moved that the following floor amendment no. 1087 by Senator Warnick be adopted:

On page 4, after line 3, insert the following:

"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, 2020, in the omnibus appropriations act, this act is null and void."

Senators Warnick and Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1087 by Senator Warnick on page 4, after line 3 to Second Substitute Senate Bill No. 6518.

The motion by Senator Warnick carried and floor amendment no. 1087 was adopted by voice vote.

MOTION

On motion of Senator Rolfes, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6518 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rolfes spoke in favor of passage of the bill.

Senators Warnick and Honeyford 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. 6518.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6518 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen,

O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger
Excused: Senator Fortunato

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6518, having received the 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. 6112, by Senators Wilson, C., Darneille, Nguyen, Cleveland, Das, Frockt, Hasegawa, Hunt, Kuderer, Lovelett, Mullet, Pedersen, Randall, Salomon, Wellman, Carlyle and Saldaña

Concerning youth solitary confinement.

MOTIONS

On motion of Senator Wilson, C., Substitute Senate Bill No. 6112 was substituted for Senate Bill No. 6112 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, C., the rules were suspended, Substitute Senate Bill No. 6112 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Walsh 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. 6112.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6112 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wagoner, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Holy, Honeyford, King, Padden, Schoesler, Sheldon, Short, Warnick and Wilson, L.

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6112, having received the 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. 6050, by Senators Cleveland, Keiser and Kuderer

Concerning insurance guaranty fund.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 6050 was substituted for Senate Bill No. 6050 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. 6050 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland 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. 6050.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6050 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 17; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick and Wilson, L.

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6050, having received the 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. 6088, by Senators Keiser, Conway, Das, Frockt, Hasegawa, Hunt, Kuderer, Pedersen, Randall, Rolfes, Stanford, and Wilson, C.

Establishing a prescription drug affordability board.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 6088 was substituted for Senate Bill No. 6088 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 6088 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser 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. 6088.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6088 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6088, having received the 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. 6062, by Senators Becker and Short

Concerning direct primary care oversight.

MOTION

On motion of Senator Becker, Substitute Senate Bill No. 6062 was substituted for Senate Bill No. 6062 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Becker moved that the following striking floor amendment no. 955 by Senators Becker and Cleveland be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 48.150.100 and 2007 c 267 s 12 are each amended to read as follows:

(1) Direct practices must submit annual statements, beginning on October 1, 2007, to the office of ~~((the))~~ the insurance commissioner specifying the number of providers in each practice, total number of patients being served, the average direct fee being charged, providers' names, and the business address for each direct practice. The form and content for the annual statement must be developed in a manner prescribed by the commissioner.

(2) A health care provider may not act as, or hold himself or herself out to be, a direct practice in this state, nor may a direct agreement be entered into with a direct patient in this state, unless the provider submits the annual statement in subsection (1) of this section to the commissioner.

(3) The commissioner shall report annually to the legislature on direct practices including, but not limited to, participation trends, complaints received, voluntary data reported by the direct practices, and any necessary modifications to this chapter. The initial report shall be due December 1, 2009.

(4) This section expires November 30, 2020.

NEW SECTION. **Sec. 2.** A new section is added to chapter 48.150 RCW to read as follows:

(1) Except as otherwise provided in subsection (3) of this section, beginning January 1, 2021, direct practices must register with the office of the insurance commissioner no later than thirty days prior to engaging in direct practice.

(2) To obtain a registration under this section, a direct practice must submit an application to the office of the insurance commissioner, containing:

- (a) A list of providers' names at the practice;
- (b) The business address of the practice;
- (c) All direct agreements; and

(d) A written affirmation that the direct practice provider has read and understands the obligations under this chapter.

(3) A direct practice that filed an annual statement under RCW 48.150.100 during calendar year 2020 will be automatically registered by the office of the insurance commissioner.

(4) A registered direct practice must:

(a) Notify the insurance commissioner in writing of:

(i) A change of address; or

(ii) A discontinuation of the practice; and

(b) File updated direct agreements following any material change to the agreement.

NEW SECTION. **Sec. 3.** Section 2 of this act takes effect January 1, 2021."

On page 1, line 1 of the title, after "oversight;" strike the remainder of the title and insert "amending RCW 48.150.100; adding a new section to chapter 48.150 RCW; providing an effective date; and providing an expiration date."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 955 by Senators Becker and Cleveland to Substitute Senate Bill No. 6062.

The motion by Senator Becker carried and striking floor amendment no. 955 was adopted by voice vote.

MOTION

On motion of Senator Becker, the rules were suspended, Engrossed Substitute Senate Bill No. 6062 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 Senate Bill No. 6062.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6062 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6062, having received the 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. 6515, by Senators Van De Wege, Randall, Mullet, Takko, Lovelett, Liias, Conway, Hasegawa, and Wilson, C.

Adjusting the medicaid payment methodology for skilled nursing facilities.

MOTION

Senator O'Ban moved that Second Substitute Senate Bill No. 6515 be not substituted for Senate Bill No. 6515 and the substitute bill be not read the second time.

Senator O'Ban demanded a roll call.

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

Senators O'Ban, Rivers and Braun spoke in favor of the motion to not substitute the bill.

Senator Van De Wege spoke against the motion to not substitute the bill.

MOTION

On motion of Senator Liias, further consideration of Senate Bill No. 6515 was deferred and the bill held its place on the second reading calendar.

SECOND READING

SENATE BILL NO. 6205, by Senators Cleveland, Conway, Randall, Keiser, Mullet, Frockt, Billig, Saldaña, Dhingra, Van De Wege, Hunt, Kuderer, Lovelett, Stanford, and Wilson, C.

Preventing harassment, abuse, and discrimination experienced by long-term care workers.

MOTION

On motion of Senator Cleveland, Second Substitute Senate Bill No. 6205 was substituted for Senate Bill No. 6205 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Cleveland moved that the following striking floor amendment no. 1035 by Senators Cleveland, O'Ban and Randall be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that, as the citizens of Washington state age and their life expectancy increases, demand for long-term care is also on the rise. Like many Americans, Washingtonians prefer to stay in their own homes and communities as they age, fueling an increased demand for home-based long-term services and supports. Nationally, the direct care workforce is expected to increase by more than one million jobs, making this one of the fastest growing occupations in the country.

(2) As the state of Washington is a national leader in supporting individuals to receive services in their own homes where self-direction, autonomy, choice, and dignity is valued. The average needs and acuity levels of people served in their homes has increased and become more diverse. The prevalence of individuals with complex behaviors due to their disabilities is a growing issue experienced by individuals who need assistance with personal care tasks in their own homes and to be able to fully integrate in community living.

(3) The lack of workplace safety, including incidents of verbal and physical aggression, as well as sexual harassment, is an occupational hazard for many long-term care workers, including

those who work in the homes of the person to whom they provide care. The risk may be outside the control of the individual receiving care due to the conduct of others in the home. The risk may be due to symptoms or conditions that can manifest with individuals communicating their needs in ways that an individual caring for the person may experience or interpret as harassment, abuse, or violence. In any event, caregivers should not have to experience discrimination, abusive conduct, and challenging behaviors without assistance or redress.

(4) Workers who have adverse experiences at work can manifest negative physical and mental health outcomes. These workers often leave the field of direct caregiving, resulting in fewer available caregivers in the workforce, increased turnover, and lower quality of care received by individuals in their own homes.

(5) Adequate preparation of caregivers helps both the caregiver and person receiving care. Caregivers should be equipped with information, including relevant care plans and behavioral support interventions, existing problem-solving tools, and strategies to improve safe care delivery.

(6) The legislature further finds that caregivers are the backbone of long-term services and supports in Washington. Therefore, the intent of this act is to reduce the instances of harassment, discrimination, and abuse experienced by caregivers, and ensure that they feel safe while providing care while also prioritizing the continuity of care for individuals who rely on their assistance. This will improve the quality of care provided to Washingtonians and build a strong workforce to meet future care needs in the state.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Abusive conduct" means conduct in a work setting that qualifies as workplace aggression, workplace violence, aggravated workplace violence, physical sexual aggression, rape, attempted rape, sexual contact, sexual harassment, workplace physical aggression, workplace verbal aggression, or inappropriate sexual behavior. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered abusive conduct for the purposes of this chapter if expressly exempted from the applicable definition.

(2) "Aggravated workplace violence," "aggravated violence," or "aggravated violent act" means assault or physically threatening behavior involving the use of a lethal weapon or a common object used as a lethal weapon, regardless of whether the use of a lethal weapon resulted in injury.

(3) "Challenging behavior" means behavior by a service recipient that is specifically caused by or related to a disability that might be experienced by a long-term care worker as offensive or presenting a safety risk.

(4) "Covered employer" means:

(a) A consumer directed employer as defined in RCW 74.39A.009; and

(b) A home care agency as defined in RCW 70.127.010.

(5) "Department" means the department of labor and industries.

(6) "Disability" has the same meaning as in RCW 49.60.040.

(7) "Discrimination" means employment discrimination prohibited by chapter 49.60 RCW, including discriminatory harassment. It shall not constitute discrimination for a recipient of personal care services as defined in RCW 74.39A.009 to refuse to hire or terminate an employment relationship with an employee based on gender preferences.

(8) "Discriminatory harassment" is unwelcome conduct that is based on a protected class listed in RCW 49.60.030(1) where the conduct is enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

"Discriminatory harassment" includes sexual harassment. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered discriminatory harassment for purposes of this chapter.

(9) "Employee" means a long-term care worker as defined in RCW 74.39A.009 that is employed by a covered employer.

(10) "Inappropriate sexual behavior" means nonphysical acts of a sexual nature that a reasonable person would consider offensive or intimidating, such as sexual comments, unwanted requests for dates or sexual favors, or leaving sexually explicit material in view. An act may be considered inappropriate sexual behavior independent of whether the act is severe or pervasive enough to be considered sexual harassment. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered inappropriate sexual behavior for purposes of this chapter.

(11) "Long-term care workers" means all persons who provide paid, hands-on personal care services for the elderly or persons with disabilities, including individual providers of home care services, direct care workers employed by home care agencies or a consumer directed employer, and providers of home care services to persons with developmental disabilities under Title 71A RCW.

(12) "Physical sexual aggression" means any type of sexual contact or behavior, other than rape or attempted rape, that occurs without the explicit consent of the recipient. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered physical sexual aggression for the purposes of this chapter.

(13) "Rape" or "attempted rape" have the same meanings as in RCW 9A.44.040, 9A.44.050, and 9A.44.060.

(14) "Sexual contact" has the same meaning as in RCW 9A.44.010. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered sexual contact for the purposes of this chapter.

(15) "Sexual harassment" has the same meaning as in RCW 28A.640.020. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered sexual harassment for purposes of this chapter.

(16) "Trauma-informed care" means a strength-based service delivery approach that:

(a) Is grounded in the understanding of and responsiveness to the impact of trauma;

(b) Emphasizes physical, psychological, and emotional safety for both providers and survivors; and

(c) Creates opportunities for survivors to rebuild a sense of control and empowerment.

(17) "Workplace physical aggression" means an occurrence of physically threatening behavior in a work setting, including threats of physical harm, or an occurrence of slapping, biting, or intentionally bumping. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered workplace physical aggression for purposes of this chapter.

(18) "Workplace verbal aggression" means acts of nonphysical hostility or threats of violence in the work setting. "Workplace verbal aggression" includes verbal aggression such as insulting or belittling an individual. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered workplace verbal aggression for purposes of this chapter.

(19) "Workplace violence," "violence," or "violent act" means the occurrence of physical assault, such as hitting or kicking, including using a nonlethal weapon. For service recipients, behavior that meets the definition of subsection (3) of this section is not considered workplace violence for purposes of this chapter.

NEW SECTION. Sec. 3. (1) Beginning July 1, 2021, each covered employer must adopt and maintain a comprehensive written policy concerning how the covered employer shall address instances of discrimination, abusive conduct, and challenging behavior and work to resolve issues impacting the provision of personal care. The covered employer must:

(a) Disseminate the comprehensive written policy to each employee at the beginning of employment, annually, and on the issuance of any substantive update to the comprehensive written policy;

(b) Post the comprehensive written policy in prominent locations at its place of business and in a prominent location on its web site, such as an online payroll portal, if applicable. The covered employer must provide employees with a copy of the current policy within thirty days of the employee's date of hire, and at least once a year thereafter;

(c) Make the policy available in plain English and in each of the three languages spoken most by long-term care workers in the state;

(d) Review and update the adopted policy annually; and

(e) Ensure that all employees are aware of the current policy and the changes from the previous policy.

(2) At a minimum, the comprehensive written policy must include:

(a) A definition of discrimination, harassment, abusive conduct, and challenging behavior;

(b) A description of the types of discrimination and abusive conduct covered by the policy, with examples relevant to the long-term care workforce;

(c) The identification of multiple persons to whom an employee may report discrimination, abusive conduct, and challenging behavior;

(d) Stated permission and a process for allowing workers to leave situations where they feel their safety is at immediate risk. This process must include a requirement to notify the employer and applicable third parties such as department of social and health services case managers, emergency services, or service recipient decision makers as soon as possible. The process must not authorize abandonment as defined in RCW 74.34.020 unless the worker has called the phone number provided by the employer for emergency assistance and has a reasonable fear of imminent bodily harm;

(e) A stated prohibition against retaliation for actions related to disclosing, challenging, reporting, testifying, or assisting in an investigation regarding allegations of discrimination, abusive conduct, or challenging behavior, and a description of how the employer will protect employees against retaliation;

(f) A list of resources about discrimination and harassment for long-term care workers to utilize. At a minimum, the resources must include contact information of the equal employment opportunity commission, the Washington state human rights commission, and local advocacy groups focused on preventing harassment and discrimination and providing support for survivors; and

(g) Any additional components recommended by the work group established in section 7 of this act for the purpose of preventing discrimination and abusive conduct and responding to challenging behavior.

NEW SECTION. Sec. 4. (1) Beginning July 1, 2021, each covered employer shall implement a plan to prevent and protect employees from abusive conduct, to assist employees working in environments with challenging behavior, and work to resolve issues impacting the provision of personal care. This plan should be reviewed and updated as necessary and at least once every three years. The plan shall be developed and monitored by a

workplace safety committee. The members of the workplace safety committee shall consist of individuals that are employee-elected, employer-selected, and include at least one service recipient representative. The number of employee-elected members shall equal or exceed the number of employer-selected members. A labor management committee established by a collective bargaining agreement that receives formal input from representatives of service recipients who wish to participate in the committee's deliberations shall be sufficient to fulfill the requirement for a workplace safety committee in this chapter.

(2) The plan developed under subsection (1) of this section, at a minimum, must include:

(a) Processes for intervening and providing assistance to an employee directly affected by challenging behavior including accessing technical assistance or similar resources, if available, to assist employees when challenging behavior occurs;

(b) Processes that covered employers may follow to engage appropriate members of the care team, such as case managers or health professionals when allegations of discrimination, abusive conduct, or challenging behaviors occur;

(c) The development of processes for reporting, intervening, and providing assistance to an employee directly affected by abusive conduct; and

(d) Processes covered employers may follow to engage the service recipient in problem resolution with the goal of ending abusive or discriminatory conduct while working to address issues impacting the provision of personal care.

(3) Each covered employer and workplace safety committee must annually review the frequency of incidents of discrimination and abusive conduct in the home care setting, including identification of the causes for, and consequences of, abusive conduct and any emerging issues that contribute to abusive conduct. As part of its annual review, the workplace safety committee must also review the number of miscategorizations in aggregate. The covered employer must adjust the plan developed under subsection (1) of this section as necessary based on this annual review.

(4) In developing the plan required by subsection (1) of this section, the covered employer shall consider any guidelines on violence in the workplace or in health care settings issued by the department of health, the department of social and health services, the department of labor and industries, the federal occupational safety and health administration, and the work group created in section 7 of this act.

(5) Nothing in this chapter requires an individual recipient of services to develop or implement the plan required by this section.

NEW SECTION. Sec. 5. (1)(a) Covered employers must inform an employee of instances of discrimination and abusive conduct occurring in or around the service recipient's home care setting prior to assigning the employee to that service recipient, and throughout the duration of service, if those instances are:

(i) Documented by the covered employer; or

(ii) Documented by the department of social and health services and communicated to the covered employer.

(b) Covered employers must inform an employee, prior to assigning the employee to a service recipient, of a service recipient's challenging behavior that is documented:

(i) In the service recipient's care plan;

(ii) By the covered employer; or

(iii) By the department of social and health services and communicated to the covered employer.

(2)(a) Communication of the information in subsection (1) of this section must be tailored to respect the privacy of service recipients in accordance with the federal health insurance portability and accountability act of 1996.

(b) Upon request of the service recipient, a covered employer must provide a copy of the information the covered employer communicated to the employee under subsection (1) of this section.

(3) If a covered employer miscategorizes an instance as discrimination or abusive conduct that should have been categorized as challenging behavior, or if a covered employer miscategorizes an instance as challenging behavior that should have been categorized as discrimination or abusive conduct, the covered employer must correct the categorization, correct how the instance was reported under section 6 of this act, and comply with any provisions under this chapter applicable to addressing the behavior or conduct.

(4) A covered employer may not terminate an employee, reduce the pay of an employee, or not offer future assignments to an employee for requesting reassignment due to alleged discrimination, abusive conduct, or challenging behavior.

(5) Nothing in this section prevents a covered employer from:

(a) Disciplining or terminating an employee if an allegation or request for reassignment was reasonably determined to be false or not made in good faith;

(b) Terminating an employee or reducing hours due to lack of suitable work; or

(c) Disciplining or terminating an employee for lawful reasons unrelated to their request for reassignment.

(6) Nothing in this section requires an individual recipient of services to provide information required by this section to an employee. Nothing in this chapter shall limit the rights of a recipient of services under chapter 74.39A RCW to select, dismiss, assign hours, and supervise the work of individual providers as in RCW 74.39A.500(1)(b).

NEW SECTION. Sec. 6. (1) Covered employers are required to keep a record of any reported incidents of discrimination or abusive conduct experienced by an employee during the provision of paid personal care services. The records must be kept for at least five years following the reported act and must be made available for inspection by the department or its agents upon request. If the covered employer makes its records available to the exclusive bargaining representative representing the employer's employees, the exclusive bargaining representative may assess whether the employer is meeting the data collection requirements in this section. The department must take into consideration the exclusive bargaining representative's assessment when determining whether an employer is in compliance with this section. Covered employers must make anonymized aggregate data of reported incidents available to the work group created under section 7 of this act.

(2) The retained records must include:

(a) The covered employer's name and address;

(b) The date, time, and location of where the act occurred;

(c) The reporting method;

(d) The name of the person who experienced the act;

(e) A description of the person committing the act as:

(i) A service recipient;

(ii) Another resident of the home care setting;

(iii) A visitor to the home care setting;

(iv) Another employee;

(v) A manager or supervisor; or

(vi) Other;

(f) A description of the type of act as one or more of the following:

(i) Discrimination, including discriminatory harassment;

(ii) Sexual harassment, inappropriate sexual behavior, or sexual contact;

(iii) Physical sexual aggression;

(iv) Rape or attempted rape;

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

- (v) Workplace verbal aggression;
 - (vi) Workplace violence;
 - (vii) Workplace physical aggression; or
 - (viii) Aggravated workplace violence;
 - (g) A description of the actions taken by the employee and the covered employer in response to the act; and
 - (h) A description of how the incident was resolved.
- (3) Nothing in this section requires an individual recipient of services to keep, collect, or provide any data required by this section to the department.
- (4) Communication of the information in this section must be tailored to respect the privacy of service recipients in accordance with the federal health insurance portability and accountability act of 1996.

NEW SECTION. Sec. 7. (1) The department of social and health services must convene a stakeholder work group to recommend policy changes and best practices for training employers, long-term care workers, and service recipients to keep home care settings free from discrimination and abusive conduct while maintaining the ability for individuals who need services to access needed services while maintaining the ability to provide services.

(2) To the extent practicable, the following groups should be represented in the work group, each group may have one representative, unless otherwise specified:

- (a) The department of social and health services;
- (b) The department of labor and industries;
- (c) The Washington state human rights commission;
- (d) Two representatives of covered employers, one of which is chosen by the association which represents home care agencies which contract with area agencies on aging for medicaid home care services, and one of which is representative of the consumer-directed employer;
- (e) Two representatives from labor organizations representing employees;
- (f) Two long-term care workers that work for a covered employer;
- (g) Organizations with at least five years of experience providing training to at least ten thousand long-term care workers;
- (h) Two representatives of disability advocacy organizations, at least one of whom represents individuals with developmental disabilities;
- (i) Three service recipients, at least one of whom lives with a developmental disability and one of whom is over age sixty-five;
- (j) A family member or guardian of a service recipient;
- (k) Area agencies on aging; and
- (l) No more than three subject matter experts determined to be necessary by the work group.

(3) In developing the report required by subsection (4) of this section, the work group shall consider:

- (a) Using new employee orientation to emphasize the prevention of discrimination and abusive conduct;
- (b) The extent to which current training content could be modified to cover content within existing hours of required training such as basic, modified basic, and/or continuing education;
- (c) Requiring training about discrimination and abusive conduct for all employees;
- (d) Interactive teaching strategies that engage across multiple literacy levels;
- (e) Factors that are predictive of discrimination and abusive conduct;
- (f) The violence escalation cycle;
- (g) De-escalation techniques to minimize abusive conduct or challenging behavior;

- (h) Strategies to prevent physical harm with hands-on practice or role play;
- (i) How incorporating information on trauma-informed care could improve the effectiveness of training and reduce interruptions to the provision of personal care;
- (j) How incorporating person-centered planning practices could minimize challenging behaviors and reduce interruptions to the provision of personal care;
- (k) Best practices for documenting and reporting incidents;
- (l) The debriefing process for affected employees following violent acts;
- (m) Resources available to employees for coping with the effects of violence;
- (n) Culturally competent peer-to-peer training for the prevention of discrimination and abusive conduct;
- (o) Best practices for training service recipients on preventing discrimination and abusive conduct in the home care setting;
- (p) Best practices for training direct supervisors on preventing and responding to reports of discrimination and abusive conduct in the home care setting;
- (q) Recommended best practices for workplace safety committees referenced in section 4 of this act and recommended topics to be included in prevention plans required in section 4 of this act;
- (r) Other policy changes that will reduce discrimination and abusive conduct in the workplace and best prepare employees to work in environments where challenging behavior occurs; and
- (s) Other best practices from trainings developed in other states or for other industries to prevent discrimination and abusive conduct in home care settings or the workplace.

(4) By December 1, 2021, the work group must submit to the legislature a report with recommendations for training long-term care workers, agency supervisors, and service recipients in order to prevent discrimination and abusive conduct in the workplace, minimize challenging behaviors, and reduce interruptions to the provision of personal care. The report must also address issues regarding the continuation of collecting and reviewing data, the future role of the work group, and how the work group is measuring the efficacy of its recommendations. The report may inform the prevention plans required in section 4 of this act.

NEW SECTION. Sec. 8. (1) The department may conduct investigations to ensure compliance when information is obtained that a covered employer may be committing a violation under this chapter or in response to complaints from employees or employee representatives for the following requirements of this chapter:

- (a) A written policy as required by section 3 of this act that includes the minimum elements under section 3(2) of this act and is updated annually;
- (b) The written policy is provided to employees in accordance with section 3(1) (a) through (c) and (e) of this act;
- (c) A current plan as required by section 4 of this act that includes the minimum elements under section 4(2) of this act;
- (d) The prior notice requirement under section 5(1) of this act;
- (e) The recordkeeping and retention requirements under section 6 of this act; and
- (f) The retaliation prohibition under section 5(4) of this act upon receipt of a complaint by an employee who believes that he or she was subject to retaliation.

(2) The department may prioritize investigations as needed to allow for timely resolution.

(3) Nothing in this chapter limits the department's ability to investigate under any other authority.

(4) Nothing in this chapter limits a worker's right to pursue private legal action.

(5) Nothing in this chapter authorizes the department to investigate individual allegations of harassment, abuse, or discrimination made by employees against recipients of care or other individuals.

(6) The department of social and health services and its agents shall not be liable for the acts or omissions of a covered employer that are in violation of this chapter.

(7) Covered employers shall not be liable for the acts or omissions of the department of social and health services or agents thereof that are in violation of this chapter.

(8) Failure of a covered employer to comply with the requirements under subsection (1)(a) through (e) of this section shall subject the covered employer to citation under chapter 49.17 RCW. Claims of retaliation under subsection (1)(f) of this section are subject to the provisions of RCW 49.17.160.

NEW SECTION. Sec. 9. 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. 10. Sections 1 through 6 and 8 of this act constitute a new chapter in Title 49 RCW."

On page 1, line 2 of the title, after "workers;" strike the remainder of the title and insert "adding a new chapter to Title 49 RCW; creating a new section; and prescribing penalties."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1035 by Senators Cleveland, O'Ban and Randall to Second Substitute Senate Bill No. 6205.

The motion by Senator Cleveland carried and striking floor amendment no. 1035 was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6205 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Becker 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. 6205.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6205 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Stanford, Takko, Van De Wege, Wagoner, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Ericksen, Honeyford, King, Rivers, Schoesler, Short, Walsh, Warnick and Wilson, L.

Excused: Senator Fortunato

ENGROSSED SECOND SUBSTITUTE 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. 6267, by Senators Takko, King and Van De Wege

Modifying the long-term services and supports trust program by clarifying the ability for individuals with existing long-term care insurance to opt-out of the premium assessment and making technical corrections.

MOTIONS

On motion of Senator Takko, 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 Takko, 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 Takko 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. 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, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

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. 6063, by Senators Wagoner, Kuderer and Padden

Improving department of corrections health care administration.

MOTION

On motion of Senator Wagoner, Substitute Senate Bill No. 6063 was substituted for Senate Bill No. 6063 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Wagoner moved that the following floor amendment no. 1057 by Senators Wagoner and Darneille be adopted:

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

On page 3, line 23, after "uniform" strike "guidelines" and insert "standards"

On page 3, beginning on line 24, after "determining" strike all material through "assistance" on line 28 and insert "when a patient's current health status requires a referral for consultation or treatment outside the department. These standards must be based on the health care community standard of care to ensure medical referrals for consultation or treatment are timely and promote optimal patient outcomes"

Senators Wagoner and Darneille spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1057 by Senators Wagoner and Darneille on page 3, line 23 to Substitute Senate Bill No. 6063.

The motion by Senator Wagoner carried and floor amendment no. 1057 was adopted by voice vote.

MOTION

On motion of Senator Wagoner, the rules were suspended, Engrossed Substitute Senate Bill No. 6063 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wagoner, Darneille 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. 6063.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6063 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6063, having received the 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. 6275, by Senators Cleveland and O'Ban

Increasing patient access rights to timely and appropriate postacute care.

MOTIONS

On motion of Senator Cleveland, Second Substitute Senate Bill No. 6275 was substituted for Senate Bill No. 6275 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Second Substitute Senate Bill No. 6275 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland 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 Second Substitute Senate Bill No. 6275.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6275 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 6275, having received the 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. 6128, by Senators Randall, Darneille, Dhingra, Frockt, Hasegawa, Hunt, Kuderer, Lovelett, Salomon, Stanford, Van De Wege, Nguyen, and Wilson, C.

Extending coverage during the postpartum period.

MOTION

On motion of Senator Randall, Second Substitute Senate Bill No. 6128 was substituted for Senate Bill No. 6128 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Randall moved that the following floor amendment no. 1060 by Senators Randall and O'Ban be adopted:

On page 2, line 19, after "2." insert "A new section is added to chapter 74.09 RCW to read as follows:"

On page 2, beginning on line 19, after "2021," strike "to the extent of available funds,"

On page 2, line 31, after "section;" insert "and"

Beginning on page 2, line 33, after "ends" strike all material through "(5)" on page 3, line 6, and insert "

(3)"

On page 3, beginning on line 9, after "state," strike all material through "and" on line 10

On page 3, line 12, after "act" insert ", and:"

(i) For state fiscal year 2021, have countable income equal to or below one hundred fifty percent of the federal poverty level;

(ii) For state fiscal year 2022, have countable income equal to or below one hundred sixty-five percent of the federal poverty level;

(iii) For state fiscal year 2023, have countable income equal to or below one hundred eighty percent of the federal poverty level;

(iv) Beginning state fiscal year 2024, have countable income equal to or below one hundred ninety-three percent of the federal poverty level"

On page 4, line 18, after "the" insert "health care"

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

The President declared the question before the Senate to be the adoption of floor amendment no. 1060 by Senators Randall and O'Ban on page 2, line 19 to Second Substitute Senate Bill No. 6128.

The motion by Senator Randall carried and floor amendment no. 1060 was adopted by voice vote.

MOTION

On motion of Senator Randall, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6128 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall 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 Engrossed Second Substitute Senate Bill No. 6128.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6128 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6128, having received the 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. 6218, by Senators Schoesler and Conway

Modifying the definition of salary for the Washington state patrol retirement system.

The measure was read the second time.

MOTION

On motion of Senator Schoesler, the rules were suspended, Senate Bill No. 6218 was advanced to third reading, the second

reading considered the third and the bill was placed on final passage.

Senators Schoesler 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. 6218.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6218 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SENATE BILL NO. 6218, having received the 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 Liias announced brief caucuses followed by a dinner break and a return to the floor later in the day.

MOTION

At 5:46 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

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

EVENING SESSION

The Senate was called to order at 7:05 p.m. by President Habib.

MOTION

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

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Zeiger moved that Stephen L. Smith, Senate Gubernatorial Appointment No. 9147, be confirmed as a member of the Pierce College Board of Trustees.

Senator Zeiger spoke in favor of the motion.

APPOINTMENT OF STEPHEN L. SMITH

The President declared the question before the Senate to be the confirmation of Stephen L. Smith, Senate Gubernatorial Appointment No. 9147, as a member of the Pierce College Board of Trustees.

The Secretary called the roll on the confirmation of Stephen L. Smith, Senate Gubernatorial Appointment No. 9147, as a member of the Pierce College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

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

Absent: Senator Ericksen
Excused: Senator Fortunato

Stephen L. Smith, Senate Gubernatorial Appointment No. 9147, having received the constitutional majority was declared confirmed as a member of the Pierce College Board of Trustees.

MOTION

On motion of Senator Padden, Senator Ericksen was excused.

MOTION

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

SECOND READING

SENATE BILL NO. 6012, by Senators Hawkins and Palumbo

Promoting renewable energy through modifying tax incentives.

MOTION

On motion of Senator Hawkins, Substitute Senate Bill No. 6012 was substituted for Senate Bill No. 6012 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hawkins moved that the following striking floor amendment no. 954 by Senators Carlyle and Hawkins 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 sales and use tax exemptions contained in sections 2 and 3, chapter . . . , Laws of 2020 (sections 2 and 3 of this act). This performance statement is only intended to be used for subsequent evaluation of these tax preferences. 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 these sales and use tax exemptions as ones intended to induce certain designated behavior by taxpayers, as indicated in RCW 82.32.808(2)(a).

(3) It is the legislature's specific public policy objective to encourage hydroelectric facilities to install oil-free adjustable blade hubs to reduce oil spills by reducing the price differential between oil-free systems and traditional oil-operated mechanisms.

(4) If a review finds that a majority of new or replacement turbines incorporate oil-free adjustable blade hubs, and oil-free systems continue to cost more than traditional systems, then the legislature intends to extend the expiration date of these tax preferences.

(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 must incorporate data provided by public utility districts and businesses operating hydroelectric facilities that claim the exemptions authorized in sections 2 and 3, chapter . . . , Laws of 2020 (sections 2 and 3 of this act), as well as information provided by the department of revenue.

NEW SECTION. Sec. 2. A new section is added to chapter 82.08 RCW to read as follows:

(1) The tax imposed by RCW 82.08.020 does not apply to:

(a) The sale of oil-free adjustable blade hubs for hydroelectric turbines;

(b) The sale of or charge made for labor and services rendered in respect to constructing, installing, repairing, altering, cleaning, or improving oil-free adjustable blade hubs for hydroelectric turbines; and

(c) The sale of tangible personal property that will become a component of oil-free adjustable blade hubs for hydroelectric turbines during the course of constructing, installing, repairing, altering, cleaning, or improving oil-free adjustable blade hubs for hydroelectric turbines.

(2)(a) The exemption under this section is in the form of a remittance and applies only to the state sales tax. A person claiming an exemption from state tax in the form of a remittance under this section must pay all state and local sales and use taxes. The buyer may then apply to the department for remittance of one hundred percent of the tax paid under RCW 82.08.020 and 82.12.020.

(b) The department must determine eligibility under this section based on information provided by the buyer and through audit and other administrative records. The buyer must on a quarterly basis submit an information sheet, in a form and manner as required by the department by rule, specifying the amount of exempted tax claimed and the qualifying purchases or acquisitions for which the exemption is claimed. The buyer must retain, in adequate detail to enable the department to determine whether the oil-free adjustable blade hub and related labor and services meet the criteria under this section: Invoices; proof of tax paid; documents describing the equipment; and construction invoices and documents.

(c) The department must on a quarterly basis remit exempted amounts to qualifying persons who submitted applications during the previous quarter.

(3) For the purposes of this section and section 3 of this act, "oil-free adjustable blade hub for hydroelectric turbines" means a type of horizontal or vertical hydroelectric turbine with adjustable blades that does not use oil on the runner hub to lubricate the internal components.

(4) This section expires July 1, 2030.

NEW SECTION. Sec. 3. A new section is added to chapter 82.12 RCW to read as follows:

(1) The tax imposed by RCW 82.12.020 does not apply to the use of:

(a) Oil-free adjustable blade hubs for hydroelectric turbines;

(b) Labor and services rendered in respect to constructing, installing, repairing, altering, cleaning, or improving oil-free adjustable blade hubs for hydroelectric turbines; and

(c) Tangible personal property that will become a component of oil-free adjustable blade hubs for hydroelectric turbines during the course of constructing, installing, repairing, altering, cleaning,

or improving oil-free adjustable blade hubs for hydroelectric turbines.

(2) The definitions, conditions, and requirements under section 2 of this act apply to this section.

(3) This section expires July 1, 2030.

NEW SECTION. Sec. 4. This act takes effect July 1, 2020.

NEW SECTION. Sec. 5. If the state fiscal impacts of this act, referencing this act by bill or chapter number, are not referenced by June 30, 2020, in the omnibus operating appropriations act, this act is null and void."

On page 1, line 2 of the title, after "incentives;" strike the remainder of the title and insert "adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; providing an effective date; and providing expiration dates."

MOTION

Senator Keiser moved that the following floor amendment no. 1096 by Senators Keiser and Hawkins be adopted:

On page 2, after line 31, insert the following:

"(d) With respect to a project to install oil-free adjustable blade hubs, before the department may remit exempted amounts to qualifying persons, the department of labor and industries must have certified that the project compensates workers at prevailing wage rates determined by local collective bargaining as determined by the department of labor and industries."

Senators Keiser and Hawkins spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1096 by Senators Keiser and Hawkins on page 2, after line 31 to striking floor amendment no. 954.

The motion by Senator Keiser carried and floor amendment no. 1096 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 954 by Senators Carlyle and Hawkins as amended to Substitute Senate Bill No. 6012.

The motion by Senator Hawkins carried and striking floor amendment no. 954 as amended was adopted by voice vote.

MOTION

On motion of Senator Hawkins, the rules were suspended, Engrossed Substitute Senate Bill No. 6012 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hawkins, Keiser, Braun, Carlyle and Sheldon spoke in favor of passage of the bill.

Senator Ericksen 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. 6012.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6012 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 9; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall,

Rolfes, Saldaña, Salomon, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Brown, Ericksen, Honeyford, King, Padden, Rivers, Schoesler, Walsh and Wilson, L.

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6012, having received the 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. 6084, by Senators Takko, Hobbs, Mullet and Padden

Concerning roundabouts. Revised for 1st Substitute: Concerning circular intersections.

MOTIONS

On motion of Senator Takko, Substitute Senate Bill No. 6084 was substituted for Senate Bill No. 6084 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. 6084 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. 6084.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6084 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Honeyford

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6084, having received the 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. 6493, by Senators Lias, King, Hobbs, Billig, Saldaña, and Wilson, C.

Concerning the Cooper Jones active transportation safety council.

The measure was read the second time.

MOTION

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

On motion of Senator Liias, the rules were suspended, Senate Bill No. 6493 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator 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. 6493.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6493 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SENATE BILL NO. 6493, having received the 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. 6565, by Senators Randall, Nguyen, Lovelett, Hasegawa, Das, Saldaña, and Wilson, C.

Establishing permissible methods of parking a motorcycle.

The measure was read the second time.

MOTION

On motion of Senator Randall, the rules were suspended, Senate Bill No. 6565 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Randall 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. 6565.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6565 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SENATE BILL NO. 6565, having received the 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. 5493, by Senators Zeiger, Darneille and Walsh

Establishing a board of advisors to provide local guidance to community services offices operated by the department of social and health services. Revised for 2nd Substitute: Concerning convening local communities to reduce intergenerational poverty.

MOTIONS

On motion of Senator Zeiger, Second Substitute Senate Bill No. 5493 was substituted for Senate Bill No. 5493 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Zeiger, the rules were suspended, Second Substitute Senate Bill No. 5493 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Zeiger and Darneille 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. 5493.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5493 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

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

Voting nay: Senators Erickson and Padden

Excused: Senator Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 5493, having received the 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. 6580, by Senator Mullet

Concerning organ transport vehicles.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, Senate Bill No. 6580 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator 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. 6580.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6580 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SENATE BILL NO. 6580, having received the 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. 6022, by Senators Zeiger and Padden

Concerning fentanyl.

MOTIONS

On motion of Senator Zeiger, Substitute Senate Bill No. 6022 was substituted for Senate Bill No. 6022 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Zeiger, the rules were suspended, Substitute Senate Bill No. 6022 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Zeiger 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. 6022.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6022 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6022, having received the 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. 6282, by Senators Pedersen, Wellman, Kuderer, Salomon, Mullet, Carlyle, Hunt, Holy, Padden, Hawkins, Zeiger and Wagoner

Concerning the development of individualized highly capable learning plans. Revised for 1st Substitute: Developing highly capable transition plans.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 6282 was substituted for Senate Bill No. 6282 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Pedersen moved that the following striking floor amendment no. 1068 by Senators Pedersen, Carlyle, Das, Hawkins, Holy, Nguyen, Saldaña and Wellman be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature recognizes that accelerated learning and enhanced instruction for highly capable students is considered part of basic education, and requires that students be offered a continuum of highly capable services in grades K-12. Accelerated learning requires access to accelerated curriculum, advanced standards, and faster pacing. Enhanced instruction requires that the accelerated curriculum be offered at greater depth and complexity, and that students receive direct instruction on that K-12 curriculum from educators. Accelerated learning and enhanced instruction can be achieved through a variety of delivery models and instructional programming, which grants school districts the flexibility necessary to address a wide range of student needs.

The legislature further recognizes that there has been a long history of inequitable access to highly capable services. Identification practices such as testing outside the school day or at locations other than a student's school and the use of testing instruments that are inaccessible to English language learners has had the effect of failing to identify highly capable students who reflect the racial and economic diversity of a school district's population. The legislature encourages districts to reform their identification processes to address these inequities and improve access for all highly capable students.

However, the legislature also recognizes the possible impact to student learning that may occur when school districts modify the delivery model of highly capable services. Therefore, the legislature intends to create a process to protect highly capable student access to basic education when a school district substantially modifies the continuum of highly capable services provided.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.185 RCW to read as follows:

(1) A school district may choose to provide highly capable instruction using a variety of service delivery models. However, if a school district chooses to make a substantial modification to the continuum of services provided to the highly capable students in a school or school district by transitioning the students to an alternative delivery model for highly capable instruction, it must develop a highly capable program transition plan for the group of students affected.

(2)(a) Within fifteen days of formalizing the decision to transition to an alternative delivery model for highly capable instruction, a school district must provide written notice to the parents and guardians of all highly capable students that may be affected by the transition. The notice must include a summary of the anticipated program changes and an invitation to participate in public meetings regarding development and adoption of the highly capable program transition plan.

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

(b) Any school district required to retroactively develop a highly capable program transition plan pursuant to section 3 of this act must provide notice within fifteen days of the effective date of this section.

(3) Within thirty days after providing written notice to parents and guardians, the school district must hold a public meeting to solicit comments regarding development of the highly capable program transition plan.

(4) Within thirty days after the public meeting, the school district must convene a transition team to develop the highly capable program transition plan. The transition team must be appointed by the school board of directors, and include highly capable educators, parents or guardians of highly capable students affected by the transition, and school district personnel who have experience administering highly capable programs.

(5) Within thirty days of convening, the transition team must develop a highly capable program transition plan that reflects the comments received at the public meeting and that contains, at a minimum, the following information:

(a) A description of the highly capable program's current structure and services, including instructional enhancement strategies and processes used to address the unique needs and capabilities of highly capable students, including those with learning disabilities and special needs;

(b) A description of the services and transitional supports that highly capable students will receive under the alternative delivery model, and how those services will provide students with equivalent or enhanced educational opportunities;

(c) A plan for how the progress of all highly capable students will be measured in subjects in which they are receiving accelerated learning and enhanced instruction;

(d) A process and timeline for evaluating whether the alternative delivery model is successfully providing a meaningful opportunity for progress similar to that expected under the current delivery model;

(e) A process to solicit feedback from parents or guardians of highly capable students, at least once each year for two years following the introduction of the alternative delivery model, to determine if any modification to the delivery model is necessary; and

(f) If one of the reasons the district is changing the highly capable delivery model is to address racial disparities within the program and increase access to educational opportunity for students of color, the transition plan must also include a description of how the new model will address racial disparities, a multiyear process for evaluating whether the new delivery model is actually increasing access to the highly capable program for students of color, and a plan for making adjustments if it is not.

(6) Within thirty days of finalizing the highly capable program transition plan, the school district must adopt the plan at an open public meeting. Upon adoption, the school district must publish the transition plan on the school district web site.

(7) If a school district fails to develop a highly capable program transition plan as required under this section or, if after one year, a student subject to the transition plan is not continuing to make academic progress similar to the progress that had been made under the prior delivery model, the parent or guardian of that highly capable student may request mediation with the school district. If the parent requests mediation with the school district, the school district shall engage an independent mediator within thirty days, at the expense of the school district, to assist the parties in creating a mutually acceptable individual transition plan.

(8) For the purposes of this section, "substantial modification" means modification to the continuum of highly capable services provided to a student, made without the consent of the student's parent or guardian, that significantly adjusts or disrupts the delivery of accelerated learning or enhanced instruction. This may include, but is not limited to, moving a student from a cohort model of instruction to a noncohort model of instruction or disrupting a student's future expected course sequencing.

NEW SECTION. **Sec. 3.** This act applies retroactively to all transitions in highly capable delivery models that occurred after January 1, 2019."

On page 1, line 2 of the title, after "plans;" strike the remainder of the title and insert "adding a new section to chapter 28A.185 RCW; and creating new sections."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1068 by Senators Pedersen, Carlyle, Das, Hawkins, Holy, Nguyen, Saldaña and Wellman to Substitute Senate Bill No. 6282.

The motion by Senator Pedersen carried and striking floor amendment no. 1068 was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute Senate Bill No. 6282 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and Hawkins 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. 6282.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6282 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 9; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Das, Dhingra, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Muzzall, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, L. and Zeiger

Voting nay: Senators Conway, Darneille, Ericksen, Frockt, Hasegawa, Hobbs, McCoy, Nguyen and Wilson, C.

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE 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. 6613, by Senators Rolfes, Lovelett and Saldaña

Concerning the inspection of marine aquatic farming locations.

MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 6613 was substituted for Senate Bill No. 6613 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 6613 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Lovelett spoke in favor of passage of the bill.

Senator Wagoner spoke against passage of the bill.

Senator Sheldon and Warnick spoke on passage of the bill.

POINT OF INQUIRY

Senator Sheldon: "I would like to ask if Senator Rolfes would yield to a question?"

President Habib: "Senator Rolfes, do you yield?"

Senator Rolfes: "It depends on the question."

President Habib: "Well, that's, that's going to have to be a yes for now. Senator Sheldon, please proceed."

Senator Sheldon: "I would like to ask Senator Rolfes if this bill affects oyster and clam operations or is it directed primarily at net-pen operations?"

Senator Rolfes: "It is intended to be directed at net-pen operations."

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6613.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6613 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 12; Absent, 0; Excused, 1.

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

Voting nay: Senators Becker, Brown, Ericksen, Holy, Honeyford, King, Muzzall, Padden, Rivers, Wagoner, Walsh and Wilson, L.

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6613, having received the 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. 6061, by Senators Becker and Conway

Requiring training standards in providing telemedicine services.

MOTIONS

On motion of Senator Becker, Substitute Senate Bill No. 6061 was substituted for Senate Bill No. 6061 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. 6061 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 Senate Bill No. 6061.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6061 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Van De Wege

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6061, having received the 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. 6217, by Senators Keiser, Saldaña, Nguyen, Hasegawa, Conway, and Wilson, C.

Concerning minimum labor standards for certain employees working at an airport or air navigation facility.

MOTION

On motion of Senator Keiser, Substitute Senate Bill No. 6217 was substituted for Senate Bill No. 6217 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Keiser moved that the following floor amendment no. 960 by Senators Keiser and Saldaña be adopted:

Beginning on page 1, line 5, strike all of section 1
Renummer the remaining sections consecutively and correct any internal references accordingly.

On page 4, line 36, after "under" strike "subsection (1)(a) of this section" and insert "~~((subsection-1))~~ (a) of this ~~((section))~~ subsection"

On page 6, line 4, after "charges." insert "As used in this subsection (1)(f), the term "charges" does not refer to any minimum labor standard imposed by a municipality pursuant to subsection (2) of this section."

On page 7, line 2, after "under" strike "subsection ~~((8))~~ (h) of this section" and insert "~~((subsection-8))~~ (h) of this ~~((section))~~ subsection"

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

Beginning on page 8, after line 22, strike all material through "routes." on page 9, line 2 and insert the following:

"(2)(a) A municipality that controls or operates an airport having more than twenty million annual commercial air service passenger enplanements that is located within the boundaries of a city that has passed a local law or ordinance setting a minimum labor standard that applies to certain employers operating or providing goods and services at the airport is authorized to enact a minimum labor standard that applies to employees working at the airport, so long as the minimum labor standard meets, but does not exceed, the minimum labor standard in the city's law or ordinance.

(b) A municipality's authority to establish a minimum labor standard pursuant to (a) of this subsection may be imposed only on employers that are excluded from the minimum labor standard established by such city because the type of good or service provided by the employer is expressly excluded in the text of the city's law or ordinance.

(c) This section does not authorize a municipality to establish a minimum labor standard for an employer who was excluded from the city's law or ordinance because it is a certificated air carrier performing services for itself or based on the employer's size or number of employees.

(d) The authority granted under (a) of this subsection shall only apply to employers who provide the goods or services at the airport from facilities that are located on property owned by the municipality and within the boundaries of the city that enacted the minimum labor standard."

On page 1, line 2 of the title, after "facility," strike the remainder of the title and insert "and amending RCW 14.08.120."

Senators Keiser and King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 960 by Senators Keiser and Saldaña on page 1, line 5 to Substitute Senate Bill No. 6217.

The motion by Senator Keiser carried and floor amendment no. 960 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 6217 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser 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. 6217.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6217 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 15; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Brown, Ericksen, Holy, Honeyford, Muzzall, Padden, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6217, having received the 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. 6300, by Senators Rivers, Pedersen, Zeiger, Kuderer, Frockt and Lovelett

Concerning animal welfare.

MOTION

On motion of Senator Rivers, Substitute Senate Bill No. 6300 was substituted for Senate Bill No. 6300 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Rivers moved that the following striking floor amendment no. 1014 by Senators Rivers and Pedersen be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 16.08.100 and 2002 c 244 s 3 are each amended to read as follows:

(1) Any dangerous dog shall be immediately confiscated by an animal control authority if the: (a) Dog is not validly registered under RCW 16.08.080; (b) owner does not secure the liability insurance coverage required under RCW 16.08.080; (c) dog is not maintained in the proper enclosure; or (d) dog is outside of the dwelling of the owner, or outside of the proper enclosure and not under physical restraint of the responsible person. The owner must pay the costs of confinement and control. The animal control authority must serve notice upon the dog owner in person or by regular and certified mail, return receipt requested, specifying the reason for the confiscation of the dangerous dog, that the owner is responsible for payment of the costs of confinement and control, and that the dog will be destroyed in an expeditious and humane manner if the deficiencies for which the dog was confiscated are not corrected within twenty days. The animal control authority shall destroy the confiscated dangerous dog in an expeditious and humane manner if any deficiencies required by this subsection are not corrected within twenty days of notification. In addition, the owner shall be guilty of a gross misdemeanor punishable in accordance with RCW 9A.20.021.

(2) If a dangerous dog of an owner with a prior conviction under this chapter attacks or bites a person or another domestic animal, the dog's owner is guilty of a class C felony, punishable in accordance with RCW 9A.20.021. It is an affirmative defense that the defendant must prove by a preponderance of the evidence that he or she was in compliance with the requirements for ownership of a dangerous dog pursuant to this chapter and the person or domestic animal attacked or bitten by the defendant's dog trespassed on the defendant's real or personal property or provoked the defendant's dog without justification or excuse. In addition, the dangerous dog shall be immediately confiscated by an animal control authority, placed in quarantine for the proper length of time, and thereafter destroyed in an expeditious and humane manner.

(3) The owner of any dog that aggressively attacks and causes severe injury or death of any human, whether or not the dog has

previously been declared potentially dangerous or dangerous, shall, upon conviction, be guilty of a class C felony punishable in accordance with RCW 9A.20.021. It is an affirmative defense that the defendant must prove by a preponderance of the evidence that the human severely injured or killed by the defendant's dog: (a) Trespassed on the defendant's real or personal property which was enclosed by fencing suitable to prevent the entry of young children and designed to prevent the dog from escaping and marked with clearly visible signs warning people, including children, not to trespass and to beware of dog; or (b) provoked the defendant's dog without justification or excuse on the defendant's real or personal property which was enclosed by fencing suitable to prevent the entry of young children and designed to prevent the dog from escaping and marked with clearly visible signs warning people, including children, not to trespass and to beware of dog. In such a prosecution, the state has the burden of showing that the owner of the dog either knew or should have known that the dog was potentially dangerous as defined in this chapter. The state may not meet its burden of proof that the owner should have known the dog was potentially dangerous solely by showing the dog to be a particular breed or breeds. In addition, the dog shall be immediately confiscated by an animal control authority, quarantined, and upon conviction of the owner destroyed in an expeditious and humane manner.

~~((4) Any person entering a dog in a dog fight is guilty of a class C felony punishable in accordance with RCW 9A.20.021.))~~

Sec. 2. RCW 16.52.011 and 2019 c 174 s 3 are each amended to read as follows:

(1) Principles of liability as defined in chapter 9A.08 RCW apply to this chapter.

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

(a) "Abandons" means the knowing or reckless desertion of an animal by its owner, or by a person who has taken control, custody, or possession of an animal that was involved in animal fighting as described in RCW 16.52.117, or the causing of the animal to be deserted by its owner, in any place, without making provisions for the animal's adequate care.

(b) "Animal" means any nonhuman mammal, bird, reptile, or amphibian.

(c) "Animal care and control agency" means any city or county animal control agency or authority authorized to enforce city or county municipal ordinances regulating the care, control, licensing, or treatment of animals within the city or county, and any corporation organized under RCW 16.52.020 that contracts with a city or county to enforce the city or county ordinances governing animal care and control.

(d) "Animal control officer" means any individual employed, contracted, or appointed pursuant to RCW 16.52.025 by an animal care and control agency or humane society to aid in the enforcement of ordinances or laws regulating the care and control of animals. For purposes of this chapter, the term "animal control officer" shall be interpreted to include "humane officer" as defined in (h) of this subsection and RCW 16.52.025.

(e) "Dog" means an animal of the species *Canis lupus familiaris*.

(f) "Euthanasia" means the humane destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death, or by a method that causes painless loss of consciousness, and death during the loss of consciousness.

(g) "Food" means food or feed appropriate to the species for which it is intended.

(h) "Humane officer" means any individual employed, contracted, or appointed by an animal care and control agency or humane society as authorized under RCW 16.52.025.

(i) "Law enforcement agency" means a general authority Washington law enforcement agency as defined in RCW 10.93.020.

(j) "Livestock" includes, but is not limited to, horses, mules, cattle, sheep, swine, goats, and bison.

(k) "Malice" has the same meaning as provided in RCW 9A.04.110, but applied to acts against animals.

(l) "Necessary food" means the provision at suitable intervals of wholesome foodstuff suitable for the animal's age, species, and condition, and that is sufficient to provide a reasonable level of nutrition for the animal and is easily accessible to the animal or as directed by a veterinarian for medical reasons.

(m) "Necessary shelter" means a structure sufficient to protect a dog from wind, rain, snow, cold, heat, or sun that has bedding to permit a dog to remain dry and reasonably clean and maintain a normal body temperature.

(n) "Necessary water" means water that is in sufficient quantity and of appropriate quality for the species for which it is intended and that is accessible to the animal or as directed by a veterinarian for medical reasons.

(o) "Owner" means a person who has a right, claim, title, legal share, or right of possession to an animal or a person having lawful control, custody, or possession of an animal.

(p) "Person" means individuals, corporations, partnerships, associations, or other legal entities, and agents of those entities.

~~(q) ("Similar animal" means: (i) For a mammal, another animal that is in the same taxonomic order; or (ii) for an animal that is not a mammal, another animal that is in the same taxonomic class.~~

~~(r))~~ "Substantial bodily harm" means substantial bodily harm as defined in RCW 9A.04.110.

~~(s))~~ ~~(t)~~ "Tether" means: (i) To restrain an animal by tying or securing the animal to any object or structure; and (ii) a device including, but not limited to, a chain, rope, cable, cord, tie-out, pulley, or trolley system for restraining an animal.

Sec. 3. RCW 16.52.085 and 2016 c 181 s 1 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.

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

(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))~~ animals 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. Copies of the petition must be served 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 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 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.

Sec. 4. RCW 16.52.095 and 1994 c 261 s 7 are each amended to read as follows:

~~((It shall not be lawful for))~~ (1) Except as provided in subsection (2) of this section, it is a misdemeanor:

~~(a) For any person to cut off more than one-half of the ear or ears of any domestic animal such as an ox, cow, bull, calf, sheep, goat, or hog ~~((, or dog, and any person cutting off more than one-half of the ear or ears of any such animals, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined in any sum less than twenty dollars. This section does not apply if cutting off more than one-half of the ear of the animal is a customary husbandry practice)); or~~~~

(b) For any person to:

(i) Devocalize a dog;

(ii) Crop or cut off any part of the ear of a dog; or

(iii) Crop or cut off any part of the tail of a dog that is seven days old or older, or has opened its eyes, whichever occurs sooner.

(2) This section does not apply if the person performing the procedure is a licensed veterinarian utilizing accepted veterinary surgical protocols that may include local anesthesia, general anesthesia, or perioperative pain management.

Sec. 5. RCW 16.52.200 and 2016 c 181 s 2 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, possessing, 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))~~, care for, possess, or reside with animals 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, possessing, 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, possessing, 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.

Sec. 6. RCW 16.52.205 and 2015 c 235 s 6 are each amended to read as follows:

(1) A person is guilty of animal cruelty in the first degree when, except as authorized in law, he or she intentionally (a) inflicts substantial pain on, (b) causes physical injury to, or (c) kills an animal by a means causing undue suffering or while manifesting an extreme indifference to life, or forces a minor to inflict unnecessary pain, injury, or death on an animal.

(2)(a) A person is guilty of animal cruelty in the first degree when, except as authorized by law or as provided in (b) of this subsection, he or she, with criminal negligence, starves, dehydrates, or suffocates an animal, or exposes an animal to excessive heat or cold and as a result causes: ~~((a))~~ (i) Substantial and unjustifiable physical pain that extends for a period sufficient to cause considerable suffering; or ~~((b))~~ (ii) death.

(b) A person is not guilty of animal cruelty in the first degree by means of exposing an animal to excessive heat or cold if the exposure is due to an unforeseen or unpreventable accident or event caused exclusively by an extraordinary force of nature.

(3) A person is guilty of animal cruelty in the first degree when he or she:

(a) Knowingly engages in any sexual conduct or sexual contact with an animal;

(b) Knowingly causes, aids, or abets another person to engage in any sexual conduct or sexual contact with an animal;

(c) Knowingly permits any sexual conduct or sexual contact with an animal to be conducted on any premises under his or her charge or control;

(d) Knowingly engages in, organizes, promotes, conducts, advertises, aids, abets, participates in as an observer, or performs any service in the furtherance of an act involving any sexual conduct or sexual contact with an animal for a commercial or recreational purpose; or

(e) Knowingly photographs or films, for purposes of sexual gratification, a person engaged in a sexual act or sexual contact with an animal.

(4) Animal cruelty in the first degree is a class C felony.

(5) In addition to the penalty imposed in subsection (4) of this section, the court ~~((may))~~ must order that the convicted person ~~((do any of the following:~~

~~(a) Not harbor or own animals or reside in any household where animals are present;~~

~~(b))~~ not own, care for, possess, or reside in any household where an animal is present, in accordance with RCW 16.52.200.

(6) In addition to the penalties imposed in subsections (4) and (5) of this section, the court may order that the convicted person:

(a) Participate in appropriate counseling at the defendant's expense;

~~((e))~~ (b) Reimburse the animal shelter or humane society for any reasonable costs incurred for the care and maintenance of any animals taken to the animal shelter or humane society as a result of conduct proscribed in ((subsection (3) of)) this section.

~~((6))~~ (7) Nothing in this section ((may be considered to) prohibits accepted animal husbandry practices or ((accepted veterinary medical practices by)) prohibits a licensed veterinarian or certified veterinary technician from performing procedures on an animal that are accepted veterinary medical practices.

~~((7))~~ (8) If the court has reasonable grounds to believe that a violation of this section has occurred, the court may order the seizure of all animals involved in the alleged violation as a condition of bond of a person charged with a violation.

~~((8))~~ (9) For purposes of this section:

(a) "Animal" means every creature, either alive or dead, other than a human being.

(b) "Sexual conduct" means any touching ~~((or))~~ by a person of, fondling by a person of, transfer of saliva by a person to, or use of a foreign object by a person on, ((either directly or through clothing, of)) the sex organs or anus of an animal, either directly or through clothing, or any transfer or transmission of semen by the person upon any part of the animal((, for the purpose of sexual gratification or arousal of the person)).

(c) "Sexual contact" means any contact, however slight, between the mouth, sex organ, or anus of a person and the mouth, sex organ, or anus of an animal, or any intrusion, however slight, of any part of the body of the person or foreign object into the sex organ or anus of an animal, or any intrusion of the sex organ or anus of the person into the mouth of the animal((, for the purpose of sexual gratification or arousal of the person)).

(d) "Photographs" or "films" means the making of a photograph, motion picture film, videotape, digital image, or any other recording, sale, or transmission of the image.

Sec. 7. RCW 16.52.207 and 2019 c 174 s 2 are each amended to read as follows:

(1) A person is guilty of animal cruelty in the second degree if, under circumstances not amounting to first degree animal cruelty:

(a) The person knowingly, recklessly, or with criminal negligence inflicts unnecessary suffering or pain upon an animal; or

(b) The person takes control, custody, or possession of an animal that was involved in animal fighting as described in RCW 16.52.117 and knowingly, recklessly, or with criminal negligence abandons the animal ~~((, and (i) as a result of being abandoned, the animal suffers bodily harm; or (ii) abandoning the animal creates an imminent and substantial risk that the animal will suffer substantial bodily harm)).~~

(2) An owner of an animal is guilty of animal cruelty in the second degree if, under circumstances not amounting to first degree animal cruelty, the owner knowingly, recklessly, or with criminal negligence:

(a) Fails to provide the animal with necessary shelter, rest, sanitation, space, or medical attention and the animal suffers unnecessary or unjustifiable physical pain as a result of the failure; or

~~(b) ((Under circumstances not amounting to animal cruelty in the second degree under (c) of this subsection, abandons))~~ Abandons the animal((, or

~~(c) Abandons the animal and (i) as a result of being abandoned, the animal suffers bodily harm; or (ii) abandoning the animal creates an imminent and substantial risk that the animal will suffer substantial bodily harm)).~~

(3) Animal cruelty in the second degree is a gross misdemeanor.

~~((4) In any prosecution of animal cruelty in the second degree under subsection (1)(a) or (2)(a) of this section, it shall be an affirmative defense, if established by the defendant by a preponderance of the evidence, that the defendant's failure was due to economic distress beyond the defendant's control.))~~

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

ROLL CALL

Sec. 8. RCW 16.54.020 and 2011 c 336 s 425 are each amended to read as follows:

Any person having in his or her care, custody, or control any abandoned animal as defined in RCW 16.54.010, may deliver such animal to any ~~((humane society having facilities for the care of such animals or to any pound maintained by or under contract or agreement with any city or county within which such animal was abandoned. If no such humane society or pound exists within the county))~~ animal care and control agency as defined in RCW 16.52.011 or to an animal rescue group as defined in RCW 82.04.040 having the facilities and resources necessary for the care of such animals. If such an animal care and control agency or animal rescue group cannot reasonably be identified to receive the animal, the person with whom the animal was abandoned may notify the sheriff of the county wherein the abandonment occurred.

Sec. 9. RCW 16.54.030 and 1955 c 190 s 3 are each amended to read as follows:

It shall be the duty of the sheriff of such county upon being so notified, to dispose of such animal as provided by law in reference to estrays if such law is applicable to the animal abandoned, or if not so applicable then deliver such an animal to any animal care and control agency as defined in RCW 16.52.011 or to an animal rescue group as defined in RCW 82.04.040 having the facilities and resources necessary for the care of such an animal. If such an animal care and control agency or animal rescue group cannot reasonably be identified to receive the animal, then such an animal shall be sold by the sheriff at public auction. Notice of any such sale shall be given by posting a notice in three public places in the county at least ten days prior to such public sale. Proceeds of such sale shall be paid to the county treasurer for deposit in the county general fund.

NEW SECTION. **Sec. 10.** The following acts or parts of acts are each repealed:

(1)RCW 16.08.030 (Marauding dog—Duty of owner to kill) and 1929 c 198 s 7;

(2)RCW 16.52.110 (Old or diseased animals at large) and 2011 c 336 s 424 & 1901 c 146 s 13; and

(3)RCW 16.52.165 (Punishment—Conviction of misdemeanor) and 1982 c 114 s 7 & 1901 c 146 s 16."

On page 1, line 1 of the title, after "welfare;" strike the remainder of the title and insert "amending RCW 16.08.100, 16.52.011, 16.52.085, 16.52.095, 16.52.200, 16.52.205, 16.52.207, 16.54.020, and 16.54.030; repealing RCW 16.08.030, 16.52.110, and 16.52.165; and prescribing penalties."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1014 by Senators Rivers and Pedersen to Substitute Senate Bill No. 6300.

The motion by Senator Rivers carried and striking floor amendment no. 1014 was adopted by voice vote.

MOTION

On motion of Senator Rivers, the rules were suspended, Engrossed Substitute Senate Bill No. 6300 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers and Pedersen spoke in favor of passage of the bill.

Senator Ericksen 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. 6300.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6300 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

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

Voting nay: Senators Ericksen, Honeyford, Muzzall, Schoesler and Wagoner

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6300, having received the 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. 6676, by Senators Frockt, Randall, Rolfes, Darneille, Braun, Billig, Salomon, Stanford, Dhingra, Van De Wege, Brown, Carlyle, Cleveland, Conway, Das, Hasegawa, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Wellman, and Wilson, C.

Concerning reimbursement for primary care services for medicaid beneficiaries.

MOTIONS

On motion of Senator Frockt, Substitute Senate Bill No. 6676 was substituted for Senate Bill No. 6676 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Frockt, the rules were suspended, Substitute Senate Bill No. 6676 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Frockt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6676.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6676 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6676, having received the 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, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5291, by Senate Committee on Ways & Means (originally sponsored by Darneille, Randall, Kuderer, Frockt, Hasegawa, Nguyen and Saldaña)

Creating alternatives to total confinement for certain qualifying persons with minor children.

The bill was read on Third Reading.

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

Senator Rivers spoke against passage of the bill.

MOTION

On motion of Senator Padden, Senator Sheldon was excused.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5291.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5291 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 15; Absent, 0; Excused, 2.

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

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Honeyford, King, Muzzall, Padden, Rivers, Schoesler, Short, Wagoner, Warnick and Wilson, L.

Excused: Senators Fortunato and Sheldon

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5291, having received the 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, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5759, by Senators Cleveland, Rivers, Conway, Bailey, Wilson, L., Short and Keiser

Increasing opportunities for the use of remote technology in eye exams. Revised for 1st Substitute: Increasing opportunities for the use of remote technology in corrective lens prescriptions.

MOTION

On motion of Senator Cleveland, Substitute Senate Bill No. 5759 was substituted for Senate Bill No. 5759 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Cleveland moved that the following striking floor amendment no. 1039 by Senators Cleveland and O'Ban be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. This act may be known and cited as the consumer protection in eye care act.

NEW SECTION. Sec. 2. INTENT. (1) The legislature recognizes the importance of allowing licensed practitioners to use their professional judgment, based on their education, training, and expertise, to determine the appropriate use of current and future technologies to enhance patient care. Guidelines for providing health care services through remote technology have been addressed by the medical community, and the legislature intends to complement and clarify those guidelines with respect to using remote technology to provide prescriptions for corrective lenses.

(2) The legislature also recognizes that health care consumers, including eye health care consumers, can benefit from developments in technology that offer advantages such as increased convenience or increased speed in delivery of services. However, the legislature recognizes that health care consumers can be misled or harmed by the use of developments in technology that are not properly supervised by qualified providers.

(3) The legislature recognizes that the use of technology that permits a consumer to submit data to an entity for the purposes of obtaining a prescription for corrective lenses, including contact lenses, may fail to detect serious eye health issues resulting in permanent vision loss if the patient is not also receiving comprehensive eye care according to standard of care.

(4) Therefore, the legislature concludes that consumers should be protected from improper or unsupervised use of technology for purposes of obtaining a prescription for corrective lenses, without unduly restricting the development and implementation of technology and without unduly restricting licensed practitioners from using such technology where appropriate.

NEW SECTION. Sec. 3. DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Contact lens" means any lens placed directly on the surface of the eye, regardless of whether or not it is intended to correct a visual defect. Contact lens includes, but is not limited to, cosmetic, therapeutic, and corrective lenses that are a federally regulated medical device.

(2) "Corrective lenses" means any lenses, including lenses in spectacles and contact lenses, that are manufactured in accordance with the specific terms of a valid prescription for an individual patient for the purpose of correcting the patient's refractive or binocular error.

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

(4) "Diagnostic information and data" mean any and all information and data, including but not limited to photographs and scans, generated by or through the use of any remote technology.

(5) "Patient-practitioner relationship" means the relationship between a provider of medical services, the practitioner, and a receiver of medical services, the patient, based on mutual

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

understanding of their shared responsibility for the patient's health care.

(6) "Prescription" means the written or electronic directive from a qualified provider for corrective lenses and consists of the refractive power as well as contact lens parameters in the case of contact lens prescriptions.

(7) "Qualified provider" means a physician licensed under chapter 18.71 RCW or an osteopathic physician licensed under chapter 18.57 RCW practicing ophthalmology, or a person licensed under chapter 18.53 RCW to practice optometry.

(8) "Remote qualified provider" means any qualified provider who is not physically present at the time of the examination.

(9) "Remote technology" means any automated equipment or testing device and any application designed to be used on or with a phone, computer, or internet-based device that is used without the physical presence and participation of a qualified provider that generates data for purposes of determining an individual's refractive error. Remote technology does not include the use of telemedicine as defined in RCW 48.43.735 for purposes other than determining an individual's refractive error.

(10) "Spectacles" means any device worn by an individual that has one or more lenses through which the wearer looks. Spectacles are commonly known and referred to as glasses, and may include cosmetic or corrective lenses.

(11) "Standard of care" means those standards developed and defined by the American academy of ophthalmology preferred practice pattern "Comprehensive Adult Medical Eye Evaluation" (Appendix 1).

(12) "Standard of care for contact lenses" means the frequency of eye examinations as recommended for contact lens wearers in the American academy of ophthalmology publication "Refractive Errors & Refractive Surgery Preferred Practice Pattern" (Appendix 2).

NEW SECTION. Sec. 4. USE OF REMOTE TECHNOLOGY FOR CORRECTIVE LENS PRESCRIPTIONS. A qualified provider may prepare a prescription for corrective lenses intended to correct an individual's refractive error by remote technology if:

(1) The prescribing qualified provider is held to the same standard of care applicable to qualified providers providing corrective lens prescriptions in traditional in-person clinical settings;

(2) A patient-practitioner relationship is clearly established by the qualified provider agreeing to provide a corrective lens prescription, whether or not there was an in-person encounter between the parties. The parameters of the patient-practitioner relationship for the use of remote technology must mirror those that would be expected for similar in-person encounters to provide corrective lens prescriptions;

(3) The remote technology is only offered to patients who meet appropriate screening criteria. A review of the patient's medical and ocular history that meets standard of care is required to determine who may or may not be safely treated with refraction without a concurrent comprehensive eye exam. Patients must also be informed that a refraction alone, whether utilizing remote technology or in person, does not substitute for a comprehensive eye exam;

(4) Continuity of care is maintained. Continuity of care requires but is not limited to:

(a) A qualified provider addressing an adverse event that occurs as a result of the prescription written by the qualified provider by:

(i) Being available to address the patient's vision or medical condition directly, either in-person or remotely, if it is possible to address the adverse event remotely;

(ii) Having an agreement with another qualified provider or licensed medical provider who is available to address the patient's vision or medical condition, either in-person or remotely; or

(iii) Referring the patient to a qualified provider or licensed medical provider who is capable of addressing the patient's condition;

(b) Retaining patient exam documentation for a minimum of ten years and retaining communication between the remote qualified provider who evaluated the patient and prescribed corrective lenses and any applicable providers as they normally would in an in-person setting; and

(5) When prescribing for contact lenses, the examination of the eyes is performed in accordance with the standard of care and standard of care for contact lenses. The components of the eye examination, if done remotely, must be to the same evaluation and standard of care the qualified provider would typically do in an in-person setting for the same condition. If the eye examination is performed by someone other than the prescribing qualified provider, the prescribing qualified provider must obtain written, faxed, or electronically communicated affirmative verification of the results of that eye examination from the provider who performed the examination. The absence of receipt of affirmative verification within any specified time period cannot be used as presumed affirmative verification.

NEW SECTION. Sec. 5. REMOTE TECHNOLOGY STANDARDS FOR USE. It is unlawful for any person to offer or otherwise make available to consumers in this state remote technology under this chapter without fully complying with the following:

(1) The remote technology must be approved by the United States food and drug administration when applicable;

(2) The remote technology must be designed and operated in a manner that provides any accommodation required by the Americans with disabilities act of 1990, 42 U.S.C. Sec. 12101 et seq. when applicable;

(3) The remote technology, when used for the collection and transmission of diagnostic information and data, must gather and transmit any protected health information in compliance with the federal health insurance portability and accountability act of 1996 and related regulations;

(4) The remote technology, when used for the collection and transmission of diagnostic information and data, may only transmit the diagnostic information and data to a qualified provider, their staff, contracted support staff, or another licensed health care provider for the purposes of collaboration in providing care to the patient. When diagnostic information and data are collected and transmitted through remote technology, that information must be read and interpreted by a qualified provider in order to release a corrective lens prescription to the patient or other entity. Contracted support staff must comply with all requirements of this chapter. Contract support staff and the supervising provider retain personal and professional responsibility for any violation of this chapter by the contracted support staff; and

(5) The owner, lessee, or operator of the remote technology must maintain liability insurance in an amount reasonably sufficient to cover claims which may be made by individuals diagnosed or treated based on information and data by the automated equipment, including but not limited to photographs and scans.

NEW SECTION. Sec. 6. ENFORCEMENT. (1) The relevant disciplinary authority for the qualified provider shall review any written complaint alleging a violation, or attempted violation, of this chapter or rules adopted pursuant to this chapter, and conduct an investigation.

(2) If the disciplinary authority finds that a person has violated or attempted to violate this chapter, it may:

(a) Upon the first violation or attempted violation that did not result in significant harm to an individual's health, issue a written warning; or

(b) In all other cases, impose a civil penalty of not less than one thousand dollars and not more than ten thousand dollars for each violation.

(3) At the request of the department, the attorney general may file a civil action seeking an injunction or other appropriate relief to enforce this chapter and the rules adopted pursuant to this chapter.

(4) For the purposes of this section, "disciplinary authority" means the same as in RCW 18.130.020.

NEW SECTION. Sec. 7. RULE MAKING. The department shall adopt any rules necessary to implement this chapter.

NEW SECTION. Sec. 8. Sections 2 through 7 of this act constitute a new chapter in Title 18 RCW."

On page 1, line 2 of the title, after "prescriptions;" strike the remainder of the title and insert "adding a new chapter to Title 18 RCW; creating a new section; and prescribing penalties."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1039 by Senators Cleveland and O'Ban to Substitute Senate Bill No. 5759.

The motion by Senator Cleveland carried and striking floor amendment no. 1039 was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute Senate Bill No. 5759 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland 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 Engrossed Substitute Senate Bill No. 5759.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5759 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Fortunato and Sheldon

ENGROSSED SUBSTITUTE SENATE BILL NO. 5759, having received the 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. 6097, by Senators Rolfes, Kuderer, Pedersen, Frockt, Conway, Randall, Carlyle and Saldaña

Requiring the insurance commissioner to review a health carrier's surplus levels as part of its rate filing review process.

MOTION

On motion of Senator Rolfes, Substitute Senate Bill No. 6097 was substituted for Senate Bill No. 6097 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Schoesler and without objection, floor amendment no. 1004 by Senators Schoesler and Short on page 1, line 7 to Substitute Senate Bill No. 6097 was withdrawn.

MOTION

Senator Rolfes moved that the following floor amendment no. 1101 by Senators O'Ban and Rolfes be adopted:

On page 1, line 10, after "commissioner" strike "must" and insert "may"

On page 1, line 10, after "surplus" insert ", capital, or profit"

On page 1, line 12, after "surplus," insert "capital, or profit levels,"

On page 1, line 13, after "the" insert "current"

On page 1, line 13, after "carriers" insert ", including those"

On page 1, beginning on line 14, after "facilities" strike all material through "affiliated" on line 16

On page 2, line 1, after "(4)" insert "Nothing in this section affects the requirement that all approved individual and small group rates be actuarially sound according to chapter 48.19, 48.44, or 48.46 RCW.

(5)"

Correct any internal references accordingly.

On page 1, line 2 of the title, after "surplus" insert ", capital, or profit"

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

The President declared the question before the Senate to be the adoption of floor amendment no. 1101 by Senators O'Ban and Rolfes on page 1, line 10 to Substitute Senate Bill No. 6097.

The motion by Senator Rolfes carried and floor amendment no. 1101 was adopted by voice vote.

MOTION

Senator Schoesler moved that the following floor amendment no. 1041 by Senator Schoesler be adopted:

On page 1, line 13, after "consideration" insert "whether a carrier's insurance holding company system offers a qualified health plan in the individual market in every county of the state, and"

Senators Schoesler and Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1041 by Senator Schoesler on page 1, line 13 to Substitute Senate Bill No. 6097.

The motion by Senator Schoesler carried and floor amendment no. 1041 was adopted by voice vote.

MOTION

THIRTY SIXTH DAY, FEBRUARY 17, 2020

2020 REGULAR SESSION

On motion of Senator Rolfes, the rules were suspended, Engrossed Substitute Senate Bill No. 6097 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rolfes 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. 6097.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6097 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Fortunato and Sheldon

ENGROSSED SUBSTITUTE SENATE BILL NO. 6097, having received the 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. 6081, by Senators Liias, King, Stanford, Becker, Keiser, Braun, Wellman and Conway

Concerning the calculation of compensation of an employee of a medical school and an affiliated faculty group practice for purposes of a noncompetition agreement.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 6081 was substituted for Senate Bill No. 6081 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. 6081 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias 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. 6081.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6081 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Kuderer

Excused: Senators Fortunato and Sheldon

SUBSTITUTE SENATE BILL NO. 6081, having received the 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. 5602, by Senators Randall, Wilson, C., Nguyen, Das, Saldaña, Cleveland, Takko, Kuderer, Hasegawa, Rolfes, Van De Wege, Keiser, Hunt, Wellman, Billig, Dhingra, Conway, Pedersen, Frockt, Salomon, Palumbo, Darneille, McCoy, Liias, Mullet and Carlyle

Eliminating barriers to reproductive health care for all.

MOTIONS

On motion of Senator Rolfes, Second Substitute Senate Bill No. 5601 was substituted for Senate Bill No. 5602 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Frockt and without objection, floor amendment no. 1081 by Senators Frockt and Short on page 19, line 35 to Second Substitute Senate Bill No. 5601 was withdrawn.

MOTION

On motion of Senator Rolfes, the rules were suspended, Second Substitute Senate Bill No. 5601 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes, Short, Frockt, O'Ban and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5601.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5601 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Fortunato and Sheldon

SECOND SUBSTITUTE SENATE BILL NO. 5601, having received the 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. 6040, by Senators Braun, Becker and Kuderer

Concerning the budgeting process for certain state waiver services for individuals with developmental disabilities.

MOTION

On motion of Senator Braun, Substitute Senate Bill No. 6040 was substituted for Senate Bill No. 6040 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Braun moved that the following floor amendment no. 1051 by Senator Braun be adopted:

On page 3, beginning on line 26, after "must be" strike all material through "and" on line 27

On page 3, line 32, after "and" strike "their service needs" and insert "the number of persons contacted who are currently interested in receiving a paid service from the developmental disabilities administration"

On page 3, line 34, strike "2020" and insert "2021"

Senator Braun spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1051 by Senator Braun on page 3, line 26 to Substitute Senate Bill No. 6040.

The motion by Senator Braun carried and floor amendment no. 1051 was adopted by voice vote.

MOTION

On motion of Senator Braun, the rules were suspended, Engrossed Substitute Senate Bill No. 6040 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Keiser and Randall 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. 6040.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6040 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Fortunato and Sheldon

ENGROSSED SUBSTITUTE SENATE BILL NO. 6040, having received the 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, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

February 16, 2020

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1894,
ENGROSSED HOUSE BILL NO. 2188,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2265,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 2311,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2427,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 2518,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 2528,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2535,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2565,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2571,
ENGROSSED HOUSE BILL NO. 2610,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2625,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2629,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2645,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2713,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2786,
ENGROSSED HOUSE BILL NO. 2797,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2849,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 2870,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

At 9:33 p.m., on motion of Senator Liias, the Senate adjourned until 9:00 o'clock a.m. Tuesday, February 18, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

THIRTY SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, February 18, 2020

The Senate was called to order at 9:04 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present with the exception of Senator Fortunato.

The Sergeant at Arms Color Guard consisting of Pages Mr. Derek Repp and Miss Brooke Sorensen, presented the Colors. Page Mr. Seth Lustig led the Senate in the Pledge of Allegiance. The prayer was offered by Bishop Thomas Daly of the Cathedral of Our Lady of Lourdes, Spokane. Bishop Daly was a guest of Senator Padden.

MOTION

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

MOTION

On motion of Senator Liias, 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.

MOTION TO LIMIT DEBATE

Pursuant to Rule 29, on motion of Senator Liias 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 Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SHB 1154 by House Committee on Capital Budget (originally sponsored by DeBolt)
AN ACT Relating to financing of Chehalis basin flood damage reduction and habitat restoration projects; reenacting and amending RCW 43.84.092; adding a new section to chapter 43.21A RCW; and adding new sections to chapter 43.99G RCW.

Referred to Committee on Ways & Means.

2SHB 1853 by House Committee on Transportation (originally sponsored by Ramos, Peterson, Paul, Gregerson, Ryu, Senn and Santos)
AN ACT Relating to the development and coordination of a statewide don't drip and drive program; adding a new chapter to Title 46 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

2SHB 1888 by House Committee on Appropriations (originally sponsored by Hudgins and Valdez)
AN ACT Relating to protecting employee information from public disclosure; and reenacting and amending RCW 42.56.230 and 42.56.250.

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

EHB 1894 by Representatives Dent and Griffey
AN ACT Relating to additional temporary duties for the wildland fire advisory committee; and amending 2018 c 227 s 1 (uncodified).

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

EHB 2188 by Representatives Leavitt, Gildon, Dufault, Chapman, Eslick, Orwall, Appleton, Slatter, Ryu, Van Werven, Griffey, Young, Wylie, Doglio, Volz and Riccelli
AN ACT Relating to increasing the types of commercial driver's license qualification waivers allowed for military veterans; amending RCW 46.25.060; and creating a new section.

Referred to Committee on Transportation.

HB 2197 by Representatives Thai, McCaslin, Walen, Slatter, Tarleton, Appleton, Orwall, Shewmake and Wylie
AN ACT Relating to establishing an exception to the requirement that vehicle license plates be visible at all times for vehicles using certain cargo carrying devices; and reenacting and amending RCW 46.16A.200.

Referred to Committee on Transportation.

HB 2252 by Representatives Thai, Callan, Macri, Doglio, Cody, Lekanoff and Pollet
AN ACT Relating to student health plans; and amending RCW 48.43.073.

Referred to Committee on Health & Long Term Care.

ESHB 2265 by House Committee on Environment & Energy (originally sponsored by Doglio, Leavitt, Shewmake, Duerr, Fey, Peterson and Pollet)
AN ACT Relating to eliminating exemptions from restrictions on the use of perfluoroalkyl and polyfluoroalkyl substances in firefighting foam; and amending RCW 70.75A.020.

Referred to Committee on Environment, Energy & Technology.

HB 2305 by Representatives Doglio, Pollet and Appleton
AN ACT Relating to firearms laws concerning persons subject to vulnerable adult protection orders; amending

RCW 74.34.130; and reenacting and amending RCW 9.41.800 and 9.41.040.

Referred to Committee on Law & Justice.

SHB 2306 by House Committee on Civil Rights & Judiciary (originally sponsored by Kirby, Vick, Walen, Hoff, Ryu and Volz)

AN ACT Relating to the regulation of legal service contractors; amending RCW 48.17.170; adding a new chapter to Title 48 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

2SHB 2310 by House Committee on Appropriations (originally sponsored by Fitzgibbon, Ramel, Macri, Doglio, Cody, Hudgins and Pollet)

AN ACT Relating to reducing emissions from vehicles associated with on-demand transportation services; amending RCW 70.120.010 and 70.94.015; adding new sections to chapter 70.120 RCW; and creating a new section.

Referred to Committee on Transportation.

E2SHB 2311 by House Committee on Appropriations (originally sponsored by Slatter, Fitzgibbon, Callan, Chapman, Orwall, Ramel, Tarleton, Valdez, Duerr, Frame, Bergquist, Davis, Tharinger, Fey, Ormsby, Macri, Wylie, Doglio, Cody, Kloba, Goodman, Hudgins and Pollet)

AN ACT Relating to amending state greenhouse gas emission limits for consistency with the most recent assessment of climate change science; amending RCW 70.235.020 and 70.235.050; reenacting and amending RCW 70.235.010; adding a new section to chapter 70.235 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

SHB 2326 by House Committee on Health Care & Wellness (originally sponsored by Macri, Robinson, Rude, Cody, Leavitt, Thai, Ormsby, Wylie, Doglio, Kloba, Riccelli, Tharinger and Appleton)

AN ACT Relating to hospital end-of-life care policies; amending RCW 70.41.520; adding a new section to chapter 70.41 RCW; and providing an effective date.

Referred to Committee on Health & Long Term Care.

SHB 2343 by House Committee on Environment & Energy (originally sponsored by Fitzgibbon, Frame, Macri, Doglio, Tharinger and Pollet)

AN ACT Relating to urban housing supply; amending RCW 36.70A.600, 43.21C.495, 36.70A.620, and 43.21C.500; reenacting and amending RCW 36.70A.030; and creating a new section.

Referred to Committee on Housing Stability & Affordability.

HB 2345 by Representatives Macri, Wylie, Cody, Goodman, Tharinger and Appleton

AN ACT Relating to continuing care retirement communities; amending RCW 18.390.010, 18.390.060, and

18.390.070; and adding a new section to chapter 18.390 RCW.

Referred to Committee on Health & Long Term Care.

HB 2347 by Representatives Duerr, Pollet, Senn and Goehner
AN ACT Relating to bond requirements for county clerks; and repealing RCW 36.23.020.

Referred to Committee on Local Government.

SHB 2378 by House Committee on Health Care & Wellness (originally sponsored by Riccelli, Harris, Macri and Cody)

AN ACT Relating to physician assistants; amending RCW 18.71A.020, 18.71A.025, 18.71A.030, 18.71A.050, 18.71A.090, 7.68.030, 18.06.140, 18.57.003, 18.79.040, 18.79.060, 18.79.240, 18.79.270, 18.100.050, 18.120.020, 18.130.410, 18.250.010, 28A.210.090, 43.70.220, 43.70.470, 46.19.010, 46.61.506, 46.61.508, 48.42.100, 48.43.094, 48.43.115, 51.04.030, 51.28.100, 69.41.030, 69.45.010, 70.41.210, 70.54.400, 70.128.120, 70.185.090, 70.225.040, 71.32.020, 74.09.010, 74.42.230, and 82.04.050; reenacting and amending RCW 18.71A.010, 18.79.260, 18.89.020, 18.130.040, 18.360.010, 43.70.110, 43.70.442, 69.41.010, 69.50.101, 69.51A.010, 70.180.030, 71.05.020, 71.24.025, 71.34.020, and 74.42.010; adding new sections to chapter 18.71A RCW; creating a new section; repealing RCW 18.57A.010, 18.57A.020, 18.57A.023, 18.57A.025, 18.57A.030, 18.57A.035, 18.57A.040, 18.57A.050, 18.57A.060, 18.57A.070, 18.57A.080, 18.57A.090, 18.57A.100, 18.57A.800, 18.57A.810, 18.71A.035, and 18.71A.040; providing effective dates; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

HB 2380 by Representatives Tharinger, Harris, Macri, Riccelli, Cody, Leavitt, Wylie, Kloba and Appleton

AN ACT Relating to the home care agency vendor rate and repeal of electronic timekeeping; amending RCW 74.39A.310; creating a new section; repealing RCW 74.39A.325; and providing an effective date.

Referred to Committee on Health & Long Term Care.

2SHB 2386 by House Committee on Appropriations (originally sponsored by Cody, Robinson, Leavitt, Tarleton, Thai, Frame, Fitzgibbon, Slatter, Davis, Tharinger, Sells, Macri and Wylie)

AN ACT Relating to the creation of the state office of the behavioral health ombuds; amending RCW 71.24.045 and 71.24.380; adding a new chapter to Title 71 RCW; repealing RCW 71.24.350; and providing an effective date.

Referred to Committee on Health & Long Term Care.

SHB 2388 by House Committee on Human Services & Early Learning (originally sponsored by Senn, Callan, Leavitt, Thai, Robinson, Ormsby, Macri, Wylie, Doglio, Goodman and Pollet)

AN ACT Relating to standardizing definitions of homelessness to improve access to services; amending RCW 43.216.505, 74.08A.010, 74.13.802, 26.44.020, and 46.20.117; reenacting and amending RCW 43.216.135 and 13.34.030; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SHB 2400 by House Committee on State Government & Tribal Relations (originally sponsored by Hudgins, Smith, Van Werven and Wylie)

AN ACT Relating to privacy assessment surveys of state agencies; and amending RCW 43.105.369.

Referred to Committee on Environment, Energy & Technology.

SHB 2419 by House Committee on Health Care & Wellness (originally sponsored by Rude, Macri, Kloba, Peterson, Springer, Cody, Ormsby, Riccelli and Doglio)

AN ACT Relating to studying barriers to the use of the Washington death with dignity act; adding a new section to chapter 70.245 RCW; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SHB 2426 by House Committee on Health Care & Wellness (originally sponsored by Cody, Robinson, Kilduff, Tharinger, Davis, Macri, Riccelli and Pollet)

AN ACT Relating to protecting patient safety in psychiatric hospitals and other health care facilities regulated by the department of health through improvements to licensing and enforcement; amending RCW 71.12.480; reenacting and amending RCW 71.12.455; adding new sections to chapter 71.12 RCW; adding new sections to chapter 43.70 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

ESHB 2427 by House Committee on Environment & Energy (originally sponsored by Duerr, Springer, Shewmake, Doglio, Fitzgibbon, Ryu, Gregerson, Santos, Tharinger, Davis, Macri, Pollet, Goodman and Wylie)

AN ACT Relating to tackling climate change as a goal of the growth management act; and amending RCW 36.70A.020 and 36.70A.480.

Referred to Committee on Local Government.

SHB 2441 by House Committee on Appropriations (originally sponsored by Entenman, Fitzgibbon, Senn, Gregerson, Kilduff, Stonier, Davis, Macri, Ortiz-Self, Riccelli, Pettigrew, Pollet, Goodman, Wylie and Doglio)

AN ACT Relating to improving access to temporary assistance for needy families; amending RCW 74.08A.010; reenacting and amending RCW 74.08A.260; adding a new section to chapter 74.08A RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

ESHB 2443 by House Committee on Housing, Community Development & Veterans (originally sponsored by Ryu and Davis)

AN ACT Relating to requiring the use of personal flotation devices on smaller vessels; and amending RCW 79A.60.160.

Referred to Committee on Transportation.

SHB 2448 by House Committee on Health Care & Wellness (originally sponsored by Schmick, Chambers and Cody)

AN ACT Relating to enhanced services facilities; amending RCW 70.97.030, 70.97.040, 70.97.050, 70.97.060, 70.97.070, 70.97.080, 70.97.100, 70.97.160, 70.97.200, 70.97.220, 70.129.005, 70.129.010, and 70.129.160; and reenacting and amending RCW 70.97.010.

Referred to Committee on Health & Long Term Care.

ESHB 2471 by House Committee on Human Services & Early Learning (originally sponsored by Callan, Eslick, Senn, Corry and Kilduff)

AN ACT Relating to working connections child care payment authorizations; amending RCW 28B.50.248; reenacting and amending RCW 43.216.135; adding a new section to chapter 43.216 RCW; and creating a new section.

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

HB 2474 by Representative Sells

AN ACT Relating to sales commissions; and amending RCW 49.48.150, 49.48.160, and 49.48.010.

Referred to Committee on Labor & Commerce.

HB 2491 by Representatives Ramos, Barkis, Leavitt, Valdez, Callan and Lekanoff

AN ACT Relating to authorizing the governor to enter into compacts with federally recognized Indian tribes principally located within Washington state for the issuance of tribal license plates and vehicle registration; and adding a new section to chapter 46.16A RCW.

Referred to Committee on Transportation.

HB 2497 by Representatives Ormsby, Leavitt, Doglio, Ramel, Tharinger, Goodman, Riccelli and Santos

AN ACT Relating to adding development of permanently affordable housing to the allowable uses of community revitalization financing, the local infrastructure financing tool, and local revitalization financing; and amending RCW 39.89.020, 39.102.020, and 39.104.020.

Referred to Committee on Housing Stability & Affordability.

HB 2512 by Representatives Orwall, Stokesbary, Pollet, Ryu, Valdez, Volz, Leavitt, Gildon, Graham, Doglio and Dufault

AN ACT Relating to interest and penalty relief for qualified mobile home and manufactured home owners; and amending RCW 84.56.070.

Referred to Committee on Housing Stability & Affordability.

E2SHB 2518 by House Committee on Appropriations (originally sponsored by Shewmake, Ybarra, Boehnke, Tarleton, Mead, Fitzgibbon, Lekanoff, Ramel, Callan, Peterson, Slatter, Davis, Doglio, Pollet and Cody)

AN ACT Relating to the safe and efficient transmission and distribution of natural gas; amending RCW 70.235.020; adding a new section to chapter 80.28 RCW; adding a new section to chapter 81.88 RCW; and creating a new section.

Referred to Committee on Environment, Energy & Technology.

E2SHB 2528 by House Committee on Appropriations (originally sponsored by Ramos, DeBolt, Chapman, Boehnke, Blake, Fitzgibbon, Tharinger and Santos)

AN ACT Relating to recognizing the contributions of the state's forest products sector as part of the state's global climate response; amending RCW 70.235.005; adding a new section to chapter 70.235 RCW; adding a new section to chapter 89.08 RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

ESHB 2535 by House Committee on Civil Rights & Judiciary (originally sponsored by Kirby, Pollet, Ormsby and Santos)

AN ACT Relating to providing for a grace period before late fees may be imposed for past due rent; and amending RCW 59.18.170 and 59.18.230.

Referred to Committee on Financial Institutions, Economic Development & Trade.

ESHB 2565 by House Committee on Environment & Energy (originally sponsored by Fitzgibbon, Doglio and Hudgins)

AN ACT Relating to the labeling of disposable wipes products; adding a new chapter to Title 70 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Environment, Energy & Technology.

ESHB 2571 by House Committee on Civil Rights & Judiciary (originally sponsored by Goodman, Klippert and Ormsby)

AN ACT Relating to increased deterrence and meaningful enforcement of fish and wildlife violations; amending RCW 77.15.075, 77.15.100, and 7.84.070; reenacting and amending RCW 77.15.160; and prescribing penalties.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

EHB 2584 by Representatives Caldier, Frame, Leavitt and Davis

AN ACT Relating to establishing rates for behavioral health services; and adding a new section to chapter 71.24 RCW.

Referred to Committee on Health & Long Term Care.

EHB 2610 by Representatives Duerr, Ramel, Kloba, Appleton, Walen, Harris, Ryu, Gregerson, Doglio, Dolan, Valdez, Tharinger, Santos, Pollet and Macri

AN ACT Relating to the sale or lease of manufactured/mobile home communities and the property on which they sit; amending RCW 59.20.300 and 59.20.305; reenacting and amending RCW 59.20.030; adding new sections to chapter 59.20 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Housing Stability & Affordability.

SHB 2613 by House Committee on Labor & Workplace Standards (originally sponsored by Sells and Mosbrucker)

AN ACT Relating to granting relief of unemployment benefit charges when discharge is required by law and removing outdated statutory language; amending RCW 50.12.200, 50.20.190, 50.29.021, 50.50.070, and 50A.05.070; creating a new section; and repealing RCW 50.29.020.

Referred to Committee on Labor & Commerce.

SHB 2621 by House Committee on Health Care & Wellness (originally sponsored by Maycumber, Tharinger, Schmick, Chapman, MacEwen and Eslick)

AN ACT Relating to creating regulation exemptions for rural health clinics providing services in a designated home health shortage area; amending RCW 70.127.040; and reenacting and amending RCW 70.38.111.

Referred to Committee on Health & Long Term Care.

ESHB 2625 by House Committee on Finance (originally sponsored by Eslick, Tarleton, Griffey, Pollet, Goehner, Senn and Chapman)

AN ACT Relating to local parks funding options; adding a new section to chapter 82.14 RCW; and creating a new section.

Referred to Committee on Ways & Means.

ESHB 2629 by House Committee on Housing, Community Development & Veterans (originally sponsored by Walen, Goodman, Springer, Macri, Slatter, Duerr, Kloba and Graham)

AN ACT Relating to waiving utility connection charges for certain properties; amending RCW 23.86.400, 24.06.600, 35.92.380, 36.94.140, and 54.24.080; adding a new section to chapter 35.92 RCW; and adding a new section to chapter 80.28 RCW.

Referred to Committee on Local Government.

ESHB 2642 by House Committee on Health Care & Wellness (originally sponsored by Davis, Cody, Chopp, Harris, Leavitt, Caldier, Smith, Goodman, Orwall, Thai, Macri, Stonier, Schmick, Tharinger, Riccelli, Robinson, Griffey, Graham, Appleton, Callan, Irwin, Bergquist, Lekanoff, Barkis, Senn, Doglio, Walen, Peterson, Ormsby and Pollet)

AN ACT Relating to removing health coverage barriers to accessing substance use disorder treatment services; adding a new section to chapter 41.05 RCW; adding a new section to chapter 48.43 RCW; adding a new section to chapter 71.24 RCW; and creating new sections.

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

Referred to Committee on Health & Long Term Care.

HB 2763 by Representatives Chapman, Dent, Hudgins and Tharinger

AN ACT Relating to interest arbitration for department of corrections employees; and amending RCW 41.80.200.

Referred to Committee on Labor & Commerce.

ESHB 2645 by House Committee on Environment & Energy (originally sponsored by Smith, Eslick and Pollet)

AN ACT Relating to the photovoltaic module stewardship and takeback program; and amending RCW 70.355.010.

Referred to Committee on Environment, Energy & Technology.

SHB 2768 by House Committee on Rural Development, Agriculture, & Natural Resources (originally sponsored by Ramos, Shewmake, Kloba, Lekanoff, Callan, Ramel and Pollet)

AN ACT Relating to urban and community forestry; amending RCW 76.15.005, 76.15.007, 76.15.010, 76.15.020, 76.15.030, 76.15.050, 76.15.060, 76.15.090, 35.92.390, 35A.80.040, 80.28.300, 89.08.520, 79.105.150, 80.28.300, 43.155.120, 70.146.070, 79A.15.040, 36.01.260, 54.16.400, 89.08.590, 79.105.630, and 79A.15.150; adding new sections to chapter 76.15 RCW; creating a new section; and repealing RCW 35.105.010, 35.105.020, 35.105.030, 35.105.040, 35.105.050, 35.105.060, 35.105.070, 35.105.080, 35.105.090, 35.105.100, 35.105.110, 35.105.120, 76.15.070, and 76.15.080.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 2677 by Representatives Chopp, Cody, Tharinger, Leavitt and Davis

AN ACT Relating to sharing health insurance information to improve the coordination of benefits between health insurers and the health care authority; and amending RCW 74.09A.020.

Referred to Committee on Health & Long Term Care.

ESHB 2786 by House Committee on Appropriations (originally sponsored by Robinson, Davis, Chapman, Peterson, Callan, Lekanoff, Pollet and Bergquist)

AN ACT Relating to establishing the opioid epidemic response advisory council; and adding a new section to chapter 43.10 RCW.

Referred to Committee on Ways & Means.

ESHB 2713 by House Committee on State Government & Tribal Relations (originally sponsored by Walen, Chandler, Springer, Kretz, Fitzgibbon, Blake, Doglio, Davis, Ramel, Goodman and Pollet)

AN ACT Relating to encouraging compost procurement and use; adding new sections to chapter 43.19A RCW; creating new sections; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

ESHB 2797 by Representatives Robinson, Macri, Davis, Shewmake, Peterson, Ramel, Lekanoff and Pollet

AN ACT Relating to the sales and use tax for affordable and supportive housing; and amending RCW 82.14.540.

Referred to Committee on Housing Stability & Affordability.

SHB 2714 by House Committee on Rural Development, Agriculture, & Natural Resources (originally sponsored by Hoff, Fitzgibbon, Orcutt, Blake, Chapman, Lekanoff, Van Werven, Tharinger and Kretz)

AN ACT Relating to valuing the carbon in forest riparian easements; amending RCW 76.13.120; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

ESHB 2849 by House Committee on Capital Budget (originally sponsored by Tharinger, DeBolt, Macri, Robinson, Chopp, Harris, Leavitt, Ramel and Lekanoff)

AN ACT Relating to housing programs administered by the department of commerce; amending RCW 43.185.010, 43.185A.010, 43.185.030, 43.185A.020, 43.185.050, 43.185.070, 43.185.110, 43.185A.060, 43.185A.070, 43.185.074, 18.85.285, 18.85.311, 31.04.025, 39.35D.080, 43.63A.680, 43.185C.200, 43.185C.210, 47.12.063, 59.24.060, 82.14.400, and 82.45.100; adding new sections to chapter 43.185A RCW; adding a new section to chapter 43.185B RCW; recodifying RCW 43.185.010, 43.185.030, 43.185.050, 43.185.070, 43.185.074, 43.185.080, 43.185.140, and 43.185.110; and repealing RCW 43.185.015, 43.185.020, 43.185A.030, 43.185A.050, 43.185.060, 43.185.076, 43.185.090, 43.185.100, 43.185A.090, 43.185A.100, 43.185A.110, 43.185A.120, 43.185.120, 43.185.130, 43.185A.900, and 43.185.910.

Referred to Committee on Housing Stability & Affordability.

SHB 2728 by House Committee on Appropriations (originally sponsored by Slatter, Davis, Senn, Bergquist, Frame, Fey and Pollet)

AN ACT Relating to implementation of a sustainable funding model for the services provided through the children's mental health services consultation program and the telebehavioral health video call center; amending RCW 71.24.061; adding new sections to chapter 71.24 RCW; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

2SHB 2737 by House Committee on Appropriations (originally sponsored by Callan, Dent, Frame, Stonier, Eslick, Lovick, Entenman, Senn, Caldier, Davis, Leavitt, Bergquist, Goodman, Riccelli and Chambers)

AN ACT Relating to revising the name, term, membership, and duties of the children's mental health work group; amending RCW 74.09.4951; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

E2SHB 2870 by House Committee on Appropriations (originally sponsored by Pettigrew and Ryu)
AN ACT Relating to allowing additional marijuana retail licenses for social equity purposes; amending RCW 69.50.540; adding new sections to chapter 69.50 RCW; adding a new section to chapter 43.330 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Labor & Commerce.

SHB 2883 by House Committee on Human Services & Early Learning (originally sponsored by Eslick, Frame and Davis)
AN ACT Relating to implementing policies related to expanding adolescent behavioral health care access as reviewed and recommended by the children's mental health work group; amending RCW 71.34.010, 71.34.610, 71.34.630, and 71.34.730; reenacting and amending RCW 71.34.020, 71.34.750, and 71.34.750; adding a new section to chapter 71.34 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

ESHB 2890 by House Committee on Local Government (originally sponsored by MacEwen)
AN ACT Relating to boarding homes; and adding a new section to chapter 36.70 RCW.

Referred to Committee on Local Government.

SHB 2905 by House Committee on Appropriations (originally sponsored by J. Johnson, Riccelli, Caldier, Doglio, Pollet and Ryu)
AN ACT Relating to increasing outreach and engagement with access to baby and child dentistry programs; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SHJM 4014 by House Committee on Health Care & Wellness (originally sponsored by Riccelli, Chapman, Tarleton, Orwall, Fey, Macri, Wylie, Doglio, Stonier, Kloba and Pollet)
Asking Congress to include dental care in Medicare.

Referred to Committee on Health & Long Term Care.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of House Bill No. 2400 which had been designated to the Committee on State Government, Tribal Relations & Elections and was referred to the Committee on Environment, Energy & Technology.

MOTION

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

MOTION

Senator O'Ban moved adoption of the following resolution:

SENATE RESOLUTION 8684

By Senators O'Ban, Rivers, Walsh, Padden, Sheldon, Muzzall, Wagoner, Zeiger, Wilson, L., Holy, Braun, Brown, Warnick, Becker, Schoesler, King, Short, Hawkins, Hasegawa, Conway, Frockt, Billig, Carlyle, Wilson, C., Kuderer, Cleveland, Darneille, Das, and Wellman

WHEREAS, Fifteen thousand Chinese workers across several states completed the Seattle to Newcastle railroad, helping to connect Seattle to the rest of the Transcontinental Railroad system; and

WHEREAS, The odious Chinese Exclusion act of 1882 became the first major restriction on immigration in the United States, leading to the resentment of Chinese American residents in Washington state; and

WHEREAS, In Tacoma, on November 3, 1885, a mob forced over 200 Chinese residents from their shops and homes, and made them walk in deplorable conditions to a train waiting to take these Chinese residents to Portland; and

WHEREAS, The next day some of Tacoma's citizens ravaged Chinese businesses downtown and burned shops and lodgings that formed the Chinese settlement along the waterfront; and

WHEREAS, In Seattle, from February 6th through 9th, 1886, a dispute arose when a mob was formed to carry out a forcible expulsion of nearly every Chinese person from the city of Seattle and herded them to a waiting steamer on the waterfront; and

WHEREAS, The inexcusable actions of these mobs in Tacoma and Seattle led to the death of a Chinese resident; and

WHEREAS, Twenty-two years after President Lincoln gave the Gettysburg Address stating, "Our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal" these words were forgotten by the mob, blind to the wrongdoing of the actions that were taken by individuals to force out Chinese Immigrants; and

WHEREAS, Even after the decades of unacceptable racism and violence, Chinese Americans wanted to sign up to fight for the United States; and

WHEREAS, The immigration restrictions were not lifted until World War II. Once they were lifted, the demographic of Chinese Americans changed dramatically. In the 1950's and 1960's, more Chinese Americans entered fields that had traditionally been closed to them. These included medicine, engineering, corporate business, and even politics; and

WHEREAS, In 1962, a Chinese American named Wing Luke became the first Chinese American City Council Member, and the first Chinese American on the United States mainland to hold such a post; and

WHEREAS, The population of Chinese Americans has more than doubled since 1979; and

WHEREAS, Chinese Americans play a vital role in Washington state; they are doctors, nurses, students and teachers, CEO's, and secretaries. They are our neighbors, our friends, and, most importantly, Washingtonians;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate condemn the violence and racism that generations of Chinese Americans have faced and acknowledge the vital role that Chinese Americans play in the great state of Washington.

Senators O'Ban, Saldaña, Padden, Liias, Becker, Darneille, Warnick, Brown, Wagoner, Hasegawa and Wellman spoke in favor of adoption of the resolution.

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8684.

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

MOTION

At 9:41 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

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

The Senate was called to order at 11:28 a.m. by President Habib.

MOTION

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

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wellman moved that Holly Koon, Senate Gubernatorial Appointment No. 9154, be confirmed as a member of the State Board of Education.

Senator Wellman spoke in favor of the motion.

APPOINTMENT OF HOLLY KOON

The President declared the question before the Senate to be the confirmation of Holly Koon, Senate Gubernatorial Appointment No. 9154, as a member of the State Board of Education.

The Secretary called the roll on the confirmation of Holly Koon, Senate Gubernatorial Appointment No. 9154, as a member of the State Board of Education and the appointment was confirmed by the following vote: Yeas, 45; Nays, 2; Absent, 1; Excused, 1.

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

Voting nay: Senators Rivers and Schoesler

Absent: Senator Muzzall

Excused: Senator Fortunato

Holly Koon, Senate Gubernatorial Appointment No. 9154, having received the constitutional majority was declared confirmed as a member of the State Board of Education.

MOTION

On motion of Senator Rivers, Senators Fortunato and Sheldon were excused.

MOTION

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

SECOND READING

SENATE BILL NO. 6561, by Senators Liias, Saldaña, Das, Nguyen, Hasegawa, Stanford, Dhingra, Hunt, Kuderer, Wellman, and Wilson, C.

Creating the undocumented student support loan program.

MOTIONS

On motion of Senator Liias, Second Substitute Senate Bill No. 6561 was substituted for Senate Bill No. 6561 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Second Substitute Senate Bill No. 6561 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and O'Ban spoke in favor of passage of the bill. Senator Holy 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. 6561.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6561 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner and Wilson, L.

Excused: Senator Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 6561, having received the 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. 6141, by Senators Randall, Hasegawa, Keiser, Stanford, Frockt, Wilson, C. and Sheldon

Expanding access to higher education.

MOTIONS

On motion of Senator Randall, Substitute Senate Bill No. 6141 was substituted for Senate Bill No. 6141 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Randall moved that the following floor amendment no. 1111 by Senators Randall and Holy be adopted:

On page 2, line 23, after "with" strike "the council of presidents" and insert "financial aid experts from public four-year and two-year institutions of higher education, as well as independent colleges in Washington state"

On page 2, line 25, after "consistent" strike "standards" and insert "definitions"

Senators Randall and Holy spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1111 by Senators Randall and Holy on page 2, line 23 to Substitute Senate Bill No. 6141.

The motion by Senator Randall carried and floor amendment no. 1111 was adopted by voice vote.

MOTION

On motion of Senator Randall, the rules were suspended, Engrossed Substitute Senate Bill No. 6141 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and Holy 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. 6141.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6141 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Ericksen
Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6141, having received the 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. 6374, by Senators Holy, Mullet, Padden, Wilson, L., and Wilson, C.

Concerning apprenticeship materials for dual credit scholarship programs.

The measure was read the second time.

MOTION

On motion of Senator Holy, the rules were suspended, Senate Bill No. 6374 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holy and Randall 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. 6374.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6374 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Ericksen
Excused: Senator Fortunato

SENATE BILL NO. 6374, having received the 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. 6065, by Senators Brown, Hasegawa, Kuderer, Nguyen, Rolfes, Short, Wilson, L., Das and Wellman

Establishing the Washington blockchain work group.

MOTIONS

On motion of Senator Brown, Substitute Senate Bill No. 6065 was substituted for Senate Bill No. 6065 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. 6065 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Carlyle spoke in favor of passage of the bill.

Senator Takko spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6065.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6065 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6065, having received the 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. 6261, by Senators McCoy, Saldaña, Conway, Kuderer, Hasegawa, Wilson, C., Das, Nguyen and Keiser

Strengthening the farm labor contractor system by removing an exemption for nonprofits, prohibiting retaliation and the use of farm labor contractors in certain circumstances, and establishing liability for related violations.

MOTION

On motion of Senator McCoy, 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.

WITHDRAWAL OF AMENDMENT

On motion of Senator McCoy and without objection, floor amendment no. 1067 by Senator McCoy on page 1, line 11 to Substitute Senate Bill No. 6261 was withdrawn.

MOTION

Senator Saldaña moved that the following floor amendment no. 1106 by Senators Saldaña and King be adopted:

Beginning on page 3, line 6, strike all of sections 2 and 3
On page 1, beginning on line 4 of the title, after "violations;" strike all material through "19.30.200;" on line 5

Senators Saldaña and King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1106 by Senators Saldaña and King on page 3, line 6 to Substitute Senate Bill No. 6261.

The motion by Senator Saldaña carried and floor amendment no. 1106 was adopted by voice vote.

MOITON

On motion of Senator McCoy, the rules were suspended, Engrossed Substitute Senate Bill No. 6261 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 Substitute Senate Bill No. 6261.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6261 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Fortunato

ENGROSSED 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

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

MESSAGE FROM THE HOUSE

February 17, 2020

MR. PRESIDENT:

The House has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 1182,
SECOND SUBSTITUTE HOUSE BILL NO. 1191,
SECOND SUBSTITUTE HOUSE BILL NO. 1645,
SECOND SUBSTITUTE HOUSE BILL NO. 1651,
HOUSE BILL NO. 2110,
HOUSE BILL NO. 2259,
SUBSTITUTE HOUSE BILL NO. 2308,
SUBSTITUTE HOUSE BILL NO. 2338,
SUBSTITUTE HOUSE BILL NO. 2359,
SUBSTITUTE HOUSE BILL NO. 2384,
HOUSE BILL NO. 2390,
HOUSE BILL NO. 2396,
SECOND SUBSTITUTE HOUSE BILL NO. 2457,
HOUSE BILL NO. 2458,
SUBSTITUTE HOUSE BILL NO. 2464,
SUBSTITUTE HOUSE BILL NO. 2498,
SECOND SUBSTITUTE HOUSE BILL NO. 2513,
SUBSTITUTE HOUSE BILL NO. 2554,
SUBSTITUTE HOUSE BILL NO. 2567,
SUBSTITUTE HOUSE BILL NO. 2634,
SUBSTITUTE HOUSE BILL NO. 2673,
HOUSE BILL NO. 2710,
HOUSE BILL NO. 2739,
SUBSTITUTE HOUSE BILL NO. 2789,
SECOND SUBSTITUTE HOUSE BILL NO. 2793,
and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

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

MOTION

At 12:11 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 1:20 p.m. by President Habib.

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Holy moved that Robert Whaley, Senate Gubernatorial Appointment No. 9155, be confirmed as a member of the Eastern Washington University Board of Trustees.

Senator Holy spoke in favor of the motion.

APPOINTMENT OF ROBERT WHALEY

The President declared the question before the Senate to be the confirmation of Robert Whaley, Senate Gubernatorial Appointment No. 9155, as a member of the Eastern Washington University Board of Trustees.

The Secretary called the roll on the confirmation of Robert Whaley, Senate Gubernatorial Appointment No. 9155, as a member of the Eastern Washington University Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

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

Absent: Senator Ericksen
Excused: Senator Fortunato

Robert Whaley, Senate Gubernatorial Appointment No. 9155, having received the constitutional majority was declared confirmed as a member of the Eastern Washington University Board of Trustees.

MOTION

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

SECOND READING

SENATE BILL NO. 6415, by Senators Das, Van De Wege, Wellman, Takko, Wilson, C., Hunt and Billig

Allowing a permanent fire protection district benefit charge with voter approval.

MOTIONS

On motion of Senator Das, Substitute Senate Bill No. 6415 was substituted for Senate Bill No. 6415 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Das, the rules were suspended, Substitute Senate Bill No. 6415 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Das and Short 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. 6415.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6415 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 1; Excused, 1.

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

Voting nay: Senator Hasegawa

Absent: Senator Ericksen

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6415, having received the 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, Senator Ericksen was excused.

SECOND READING

SENATE BILL NO. 6139, by Senators Mullet, Wagoner, Takko, Wilson, L., Wilson, C., Randall, Conway, Stanford and Carlyle

Extending the joint center for aerospace technology innovation program.

MOTIONS

On motion of Senator Mullet, Second Substitute Senate Bill No. 6139 was substituted for Senate Bill No. 6139 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Mullet, the rules were suspended, Second Substitute Senate Bill No. 6139 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and Wilson, L. 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. 6139.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6139 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Ericksen and Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 6139, having received the constitutional majority, was declared passed. There

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

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 Conway, Keiser, Hasegawa, Saldaña, Van De Wege, Lovelett, and Wilson, C.

Addressing compliance with apprenticeship utilization requirements and bidding on public works projects.

The measure was read the second time.

MOTION

Senator Conway moved that the following striking floor amendment no. 1097 by Senators Conway, Keiser and King be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 39.04.310 and 2015 c 48 s 1 are each amended to read as follows:

The definitions in this section apply throughout this section and RCW 39.04.300 and 39.04.320 unless the context clearly requires otherwise.

(1) "Apprentice" means an apprentice enrolled in a state-approved apprenticeship training program.

(2) "Apprenticeship utilization plan" means a plan submitted by a prospective bidder specifically detailing verifiable efforts to meet the apprenticeship utilization requirements.

(3) "Apprentice utilization requirement" means the requirement that the appropriate percentage of labor hours be performed by apprentices.

~~((3))~~ (4) "Labor hours" means the total hours of workers receiving an hourly wage who are directly employed upon the public works project. "Labor hours" includes hours performed by workers employed by the contractor and all subcontractors working on the project. "Labor hours" does not include hours worked by foremen, superintendents, owners, and workers who are not subject to prevailing wage requirements.

~~((4))~~ (5) "School district" has the same meaning as in RCW 28A.315.025.

~~((5))~~ (6) "State-approved apprenticeship training program" means an apprenticeship training program approved by the Washington state apprenticeship council.

Sec. 2. RCW 39.04.350 and 2019 c 232 s 15 are each amended to read as follows:

(1) Before award of a public works contract, a bidder must meet the following responsibility criteria to be considered a responsible bidder and qualified to be awarded a public works project. The bidder must:

(a) At the time of bid submittal, have a certificate of registration in compliance with chapter 18.27 RCW;

(b) Have a current state unified business identifier number;

(c) If applicable, have industrial insurance coverage for the bidder's employees working in Washington as required in Title 51 RCW; an employment security department number as required in Title 50 RCW; and a state excise tax registration number as required in Title 82 RCW;

(d) Not be disqualified from bidding on any public works contract under RCW 39.06.010 or 39.12.065(3);

(e) If bidding on a public works project subject to the apprenticeship utilization requirements in RCW 39.04.320, not have been found out of compliance by the Washington state

apprenticeship and training council for working apprentices out of ratio, without appropriate supervision, or outside their approved work processes as outlined in their standards of apprenticeship under chapter 49.04 RCW for the one-year period immediately preceding the date of the bid solicitation;

(f) Have received training on the requirements related to public works and prevailing wage under this chapter and chapter 39.12 RCW. The bidder must designate a person or persons to be trained on these requirements. The training must be provided by the department of labor and industries or by a training provider whose curriculum is approved by the department. The department, in consultation with the prevailing wage advisory committee, must determine the length of the training. Bidders that have completed three or more public works projects and have had a valid business license in Washington for three or more years are exempt from this subsection. The department of labor and industries must keep records of entities that have satisfied the training requirement or are exempt and make the records available on its web site. Responsible parties may rely on the records made available by the department regarding satisfaction of the training requirement or exemption; and

(g) Within the three-year period immediately preceding the date of the bid solicitation, not have been determined by a final and binding citation and notice of assessment issued by the department of labor and industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in RCW 49.48.082, any provision of chapter 49.46, 49.48, or 49.52 RCW.

(2) Before award of a public works contract, a bidder shall submit to the contracting agency a signed statement in accordance with chapter 5.50 RCW verifying under penalty of perjury that the bidder is in compliance with the responsible bidder criteria requirement of subsection (1)(g) of this section. A contracting agency may award a contract in reasonable reliance upon such a sworn statement.

(3) In addition to the bidder responsibility criteria in subsection (1) of this section, the state or municipality may adopt relevant supplemental criteria for determining bidder responsibility applicable to a particular project which the bidder must meet.

(a) Supplemental criteria for determining bidder responsibility, including the basis for evaluation and the deadline for appealing a determination that a bidder is not responsible, must be provided in the invitation to bid or bidding documents.

(b) In a timely manner before the bid submittal deadline, a potential bidder may request that the state or municipality modify the supplemental criteria. The state or municipality must evaluate the information submitted by the potential bidder and respond before the bid submittal deadline. If the evaluation results in a change of the criteria, the state or municipality must issue an addendum to the bidding documents identifying the new criteria.

(c) If the bidder fails to supply information requested concerning responsibility within the time and manner specified in the bid documents, the state or municipality may base its determination of responsibility upon any available information related to the supplemental criteria or may find the bidder not responsible.

(d) If the state or municipality determines a bidder to be not responsible, the state or municipality must provide, in writing, the reasons for the determination. The bidder may appeal the determination within the time period specified in the bidding documents by presenting additional information to the state or municipality. The state or municipality must consider the additional information before issuing its final determination. If the final determination affirms that the bidder is not responsible, the state or municipality may not execute a contract with any other

bidder until two business days after the bidder determined to be not responsible has received the final determination.

(e) If the bidder has a history of receiving monetary penalties for not achieving the apprenticeship utilization goals pursuant to RCW 39.04.320, or is habitual in utilizing the good faith effort exception process, the bidder must submit an apprenticeship utilization plan along with its bid documents.

(4) The capital projects advisory review board created in RCW 39.10.220 shall develop suggested guidelines to assist the state and municipalities in developing supplemental bidder responsibility criteria. The guidelines must be posted on the board's web site."

On page 1, line 2 of the title, after "projects;" strike the remainder of the title and insert "and amending RCW 39.04.310 and 39.04.350."

Senators Conway and King spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1097 by Senators Conway, Keiser and King to Senate Bill No. 6239.

The motion by Senator Conway carried and striking floor amendment no. 1097 was adopted by voice vote.

MOTION

On motion of Senator Conway, the rules were suspended, Engrossed Senate Bill No. 6239 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway and King 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. 6239.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6239 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 10; Absent, 0; Excused, 2.

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

Voting nay: Senators Becker, Braun, Brown, Honeyford, Padden, Schoesler, Short, Wagoner, Warnick and Wilson, L.

Excused: Senators Ericksen and Fortunato

ENGROSSED 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. 6287, by Senators Pedersen, Holy, Dhingra, Rivers, Kuderer, Salomon, Conway, Keiser, and Wilson, C.

Concerning guardianships and conservatorships.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 6287 was substituted for Senate Bill No. 6287 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Pedersen moved that the following floor amendment no. 1052 by Senators Pedersen and Padden be adopted:

On page 16, beginning on line 17, strike all of section 114
Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 212, beginning on line 21, strike all of section 902 and insert the following:

"**Sec. 902.** RCW 11.130.915 and 2019 c 437 s 807 are each amended to read as follows:

This act takes effect January 1, (~~2024~~) 2022, except that:

(1) Section 129, chapter 437, Laws of 2019 takes effect on the effective date of this section; and

(2) Sections 101 through 128, 130 through 136, 201 through 216, 602, 802, 803, and 805, chapter 437, Laws of 2019 take effect January 1, 2021.

NEW SECTION. **Sec. 903.** 2019 c 437 s 801 (uncodified) is repealed.

NEW SECTION. **Sec. 904.** The following acts or parts of acts are each repealed:

(1)RCW 11.88.005 (Legislative intent) and 1990 c 122 s 1, 1977 ex.s. c 309 s 1, & 1975 1st ex.s. c 95 s 1;

(2)RCW 11.88.008 ("Professional guardian" defined) and 1997 c 312 s 2;

(3)RCW 11.88.010 (Authority to appoint guardians—Definitions—Venue—Nomination by principal) and 2016 c 209 s 403, 2008 c 6 s 802, 2005 c 236 s 3, (2005 c 236 s 2 expired January 1, 2006), 2004 c 267 s 139, 1991 c 289 s 1, 1990 c 122 s 2, 1984 c 149 s 176, 1977 ex.s. c 309 s 2, 1975 1st ex.s. c 95 s 2, & 1965 c 145 s 11.88.010;

(4)RCW 11.88.020 (Qualifications) and 2011 c 329 s 1, 1997 c 312 s 1, 1990 c 122 s 3, 1975 1st ex.s. c 95 s 3, 1971 c 28 s 4, & 1965 c 145 s 11.88.020;

(5)RCW 11.88.030 (Petition—Contents—Hearing) and 2011 c 329 s 2, 2009 c 521 s 36, 1996 c 249 s 8, 1995 c 297 s 1, 1991 c 289 s 2, 1990 c 122 s 4, 1977 ex.s. c 309 s 3, 1975 1st ex.s. c 95 s 4, & 1965 c 145 s 11.88.030;

(6)RCW 11.88.040 (Notice and hearing, when required—Service—Procedure) and 2008 c 6 s 803, 1995 c 297 s 2, 1991 c 289 s 3, 1990 c 122 s 5, 1984 c 149 s 177, 1977 ex.s. c 309 s 4, 1975 1st ex.s. c 95 s 5, 1969 c 70 s 1, & 1965 c 145 s 11.88.040;

(7)RCW 11.88.045 (Legal counsel and jury trial—Proof—Medical report—Examinations—Waiver) and 2001 c 148 s 1, 1996 c 249 s 9, 1995 c 297 s 3, 1991 c 289 s 4, 1990 c 122 s 6, 1977 ex.s. c 309 s 5, & 1975 1st ex.s. c 95 s 7;

(8)RCW 11.88.080 (Guardians nominated by will or durable power of attorney) and 2016 c 209 s 401, 2005 c 97 s 11, 1990 c 122 s 7, & 1965 c 145 s 11.88.080;

(9)RCW 11.88.090 (Guardian ad litem—Mediation—Appointment—Qualifications—Notice of and statement by guardian ad litem—Hearing and notice—Attorneys' fees and costs—Registry—Duties—Report—Responses—Fee) and 2008 c 6 s 804, 2000 c 124 s 1, 1999 c 360 s 1, 1996 c 249 s 10, 1995 c 297 s 4, 1991 c 289 s 5, 1990 c 122 s 8, 1977 ex.s. c 309 s 6, 1975 1st ex.s. c 95 s 9, & 1965 c 145 s 11.88.090;

(10)RCW 11.88.093 (Ex parte communications—Removal) and 2000 c 124 s 10;

(11)RCW 11.88.095 (Disposition of guardianship petition) and 2011 c 329 s 4, 1995 c 297 s 5, 1991 c 289 s 6, & 1990 c 122 s 9;

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

(12)RCW 11.88.097 (Guardian ad litem—Fees) and 2000 c 124 s 13;

(13)RCW 11.88.100 (Oath and bond of guardian or limited guardian) and 2010 c 8 s 2088, 1990 c 122 s 10, 1983 c 271 s 1, 1977 ex.s. c 309 s 7, 1975 1st ex.s. c 95 s 10, & 1965 c 145 s 11.88.100;

(14)RCW 11.88.105 (Reduction in amount of bond) and 1990 c 122 s 11, 1975 1st ex.s. c 95 s 11, & 1965 c 145 s 11.88.105;

(15)RCW 11.88.107 (When bond not required) and 1990 c 122 s 12, 1977 ex.s. c 309 s 8, 1975 1st ex.s. c 95 s 12, & 1965 c 145 s 11.88.107;

(16)RCW 11.88.110 (Law on executors' and administrators' bonds applicable) and 1975 1st ex.s. c 95 s 13 & 1965 c 145 s 11.88.110;

(17)RCW 11.88.115 (Notice to department of revenue);

(18)RCW 11.88.120 (Modification or termination of guardianship—Procedure) and 2017 c 271 s 2, 2015 c 293 s 1, 1991 c 289 s 7, 1990 c 122 s 14, 1977 ex.s. c 309 s 9, 1975 1st ex.s. c 95 s 14, & 1965 c 145 s 11.88.120;

(19)RCW 11.88.125 (Standby limited guardian or limited guardian) and 2013 c 304 s 1, 2011 c 329 s 5, 2008 c 6 s 805, 1991 c 289 s 8, 1990 c 122 s 15, 1979 c 32 s 1, 1977 ex.s. c 309 s 10, & 1975 1st ex.s. c 95 s 6;

(20)RCW 11.88.127 (Guardianship—Incapacitated person—Letters of guardianship) and 2011 c 329 s 6;

(21)RCW 11.88.130 (Transfer of jurisdiction and venue) and 1990 c 122 s 16, 1975 1st ex.s. c 95 s 15, & 1965 c 145 s 11.88.130;

(22)RCW 11.88.140 (Termination of guardianship or limited guardianship) and 2016 c 202 s 9, 2011 c 329 s 7, 1991 c 289 s 9, 1990 c 122 s 17, 1977 ex.s. c 309 s 11, 1975 1st ex.s. c 95 s 16, & 1965 c 145 s 11.88.140;

(23)RCW 11.88.150 (Administration of deceased incapacitated person's estate) and 2010 c 8 s 2089, 1990 c 122 s 18, 1977 ex.s. c 309 s 12, 1975 1st ex.s. c 95 s 17, & 1965 c 145 s 11.88.150;

(24)RCW 11.88.160 (Guardianships involving veterans) and 1990 c 122 s 13;

(25)RCW 11.88.170 (Guardianship courthouse facilitator program) and 2015 c 295 s 1;

(26)RCW 11.88.900 (Construction—Chapter applicable to state registered domestic partnerships—2009 c 521) and 2009 c 521 s 35;

(27)RCW 11.92.010 (Guardians or limited guardians under court control—Legal age) and 1975 1st ex.s. c 95 s 18, 1971 c 28 s 5, & 1965 c 145 s 11.92.010;

(28)RCW 11.92.035 (Claims) and 1990 c 122 s 19, 1975 1st ex.s. c 95 s 19, & 1965 c 145 s 11.92.035;

(29)RCW 11.92.040 (Duties of guardian or limited guardian in general) and 2011 c 329 s 9, 1991 c 289 s 10, 1990 c 122 s 20, & 1985 c 30 s 9;

(30)RCW 11.92.043 (Additional duties) and 2017 c 268 s 3, 2011 c 329 s 3, 1991 c 289 s 11, & 1990 c 122 s 21;

(31)RCW 11.92.050 (Intermediate accounts or reports—Hearing—Order) and 2011 c 329 s 10, 1995 c 297 s 6, 1990 c 122 s 23, 1975 1st ex.s. c 95 s 21, & 1965 c 145 s 11.92.050;

(32)RCW 11.92.053 (Settlement of estate upon termination) and 2011 c 329 s 8, 1995 c 297 s 7, 1990 c 122 s 24, & 1965 c 145 s 11.92.053;

(33)RCW 11.92.056 (Citation of surety on bond) and 1990 c 122 s 25, 1975 1st ex.s. c 95 s 22, & 1965 c 145 s 11.92.056;

(34)RCW 11.92.060 (Guardian to represent incapacitated person—Compromise of claims—Service of process) and 1990 c 122 s 26, 1975 1st ex.s. c 95 s 23, & 1965 c 145 s 11.92.060;

(35)RCW 11.92.090 (Sale, exchange, lease, or mortgage of property) and 1990 c 122 s 27, 1975 1st ex.s. c 95 s 24, & 1965 c 145 s 11.92.090;

(36)RCW 11.92.096 (Guardian access to certain held assets) and 1991 c 289 s 13;

(37)RCW 11.92.100 (Petition—Contents) and 1990 c 122 s 28, 1975 1st ex.s. c 95 s 25, & 1965 c 145 s 11.92.100;

(38)RCW 11.92.110 (Sale of real estate) and 1990 c 122 s 29, 1975 1st ex.s. c 95 s 26, & 1965 c 145 s 11.92.110;

(39)RCW 11.92.115 (Return and confirmation of sale) and 2010 c 8 s 2090, 1990 c 122 s 30, 1975 1st ex.s. c 95 s 27, & 1965 c 145 s 11.92.115;

(40)RCW 11.92.120 (Confirmation conclusive) and 1975 1st ex.s. c 95 s 28 & 1965 c 145 s 11.92.120;

(41)RCW 11.92.125 (Broker's fee and closing expenses—Sale, exchange, mortgage, or lease of real estate) and 1977 ex.s. c 309 s 15 & 1965 c 145 s 11.92.125;

(42)RCW 11.92.130 (Performance of contracts) and 1990 c 122 s 31, 1975 1st ex.s. c 95 s 29, & 1965 c 145 s 11.92.130;

(43)RCW 11.92.140 (Court authorization for actions regarding guardianship funds) and 2008 c 6 s 807, 1999 c 42 s 616, 1991 c 193 s 32, 1990 c 122 s 32, & 1985 c 30 s 10;

(44)RCW 11.92.150 (Request for special notice of proceedings) and 1990 c 122 s 33 & 1985 c 30 s 11;

(45)RCW 11.92.160 (Citation for failure to file account or report) and 1990 c 122 s 34, 1975 1st ex.s. c 95 s 31, & 1965 c 145 s 11.92.160;

(46)RCW 11.92.170 (Removal of property of nonresident incapacitated person) and 1990 c 122 s 35, 1977 ex.s. c 309 s 16, 1975 1st ex.s. c 95 s 32, & 1965 c 145 s 11.92.170;

(47)RCW 11.92.180 (Compensation and expenses of guardian or limited guardian—Attorney's fees—Department of social and health services clients paying part of costs—Rules) and 1995 c 297 s 8, 1994 c 68 s 1, 1991 c 289 s 12, 1990 c 122 s 36, 1975 1st ex.s. c 95 s 33, & 1965 c 145 s 11.92.180;

(48)RCW 11.92.185 (Concealed or embezzled property) and 1990 c 122 s 37, 1975 1st ex.s. c 95 s 34, & 1965 c 145 s 11.92.185;

(49)RCW 11.92.190 (Detention of person in residential placement facility against will prohibited—Effect of court order—Service of notice of residential placement) and 2016 sp.s. c 29 s 412, 1996 c 249 s 11, & 1977 ex.s. c 309 s 14; and

(50)RCW 11.92.195 (Incapacitated persons—Right to associate with persons of their choosing) and 2017 c 268 s 1.

NEW SECTION. Sec. 905. The following acts or parts of acts are each repealed:

(1)RCW 26.10.010 (Intent) and 1987 c 460 s 25;

(2)RCW 26.10.015 (Mandatory use of approved forms) and 1992 c 229 s 4 & 1990 1st ex.s. c 2 s 27;

(3)RCW 26.10.020 (Civil practice to govern—Designation of proceedings—Decrees) and 1987 c 460 s 26;

(4)RCW 26.10.030 (Child custody proceeding—Commencement—Notice—Intervention) and 2003 c 105 s 3, 2000 c 135 s 3, 1998 c 130 s 4, & 1987 c 460 s 27;

(5)RCW 26.10.032 (Child custody motion—Affidavit required—Notice—Denial of motion—Show cause hearing) and 2003 c 105 s 6;

(6)RCW 26.10.034 (Petitions—Indian child statement—Application of federal Indian child welfare act) and 2011 c 309 s 31, 2004 c 64 s 1, & 2003 c 105 s 7;

(7)RCW 26.10.040 (Provisions for child support, custody, and visitation—Federal tax exemption—Continuing restraining orders—Domestic violence or antiharassment protection orders—Notice of modification or termination of restraining

order) and 2000 c 119 s 8, 1995 c 93 s 3, 1994 sp.s. c 7 s 453, 1989 c 375 s 31, & 1987 c 460 s 28;

(8)RCW 26.10.045 (Child support schedule) and 1988 c 275 s 12;

(9)RCW 26.10.050 (Child support by parents—Apportionment of expense) and 2008 c 6 s 1023 & 1987 c 460 s 29;

(10)RCW 26.10.060 (Health insurance coverage—Conditions) and 1989 c 375 s 19 & 1987 c 460 s 30;

(11)RCW 26.10.070 (Minor or dependent child—Court appointed attorney to represent—Payment of costs, fees, and disbursements) and 1989 c 375 s 20 & 1987 c 460 s 31;

(12)RCW 26.10.080 (Payment of costs, attorney's fees, etc.) and 1987 c 460 s 35;

(13)RCW 26.10.090 (Failure to comply with decree or temporary injunction—Obligation to make support payments or permit visitation not suspended—Motion) and 1987 c 460 s 36;

(14)RCW 26.10.100 (Determination of custody—Child's best interests) and 1987 c 460 s 38;

(15)RCW 26.10.110 (Temporary custody order—Vacation of order) and 1987 c 460 s 39;

(16)RCW 26.10.120 (Interview with child by court—Advice of professional personnel) and 1987 c 460 s 40;

(17)RCW 26.10.130 (Investigation and report) and 1993 c 289 s 2 & 1987 c 460 s 41;

(18)RCW 26.10.135 (Custody orders—Background information to be consulted) and 2017 3rd sp.s. c 6 s 333 & 2003 c 105 s 1;

(19)RCW 26.10.140 (Hearing—Record—Expenses of witnesses) and 1987 c 460 s 42;

(20)RCW 26.10.150 (Access to child's education and medical records) and 1987 c 460 s 43;

(21)RCW 26.10.160 (Visitation rights—Limitations) and 2018 c 183 s 7, 2011 c 89 s 7, 2004 c 38 s 13, 1996 c 303 s 2, 1994 c 267 s 2, 1989 c 326 s 2, & 1987 c 460 s 44;

(22)RCW 26.10.170 (Powers and duties of custodian—Supervision by appropriate agency when necessary) and 1987 c 460 s 45;

(23)RCW 26.10.180 (Remedies when a child is taken, enticed, or concealed) and 2008 c 6 s 1024, 1989 c 375 s 21, & 1987 c 460 s 46;

(24)RCW 26.10.190 (Petitions for modification and proceedings concerning relocation of child—Assessment of attorneys' fees) and 2000 c 21 s 21, 1989 c 375 s 24, & 1987 c 460 s 47;

(25)RCW 26.10.200 (Temporary custody order or modification of custody decree—Affidavits required) and 1987 c 460 s 48;

(26)RCW 26.10.210 (Venue) and 1987 c 460 s 49;

(27)RCW 26.10.220 (Restraining orders—Notice—Refusal to comply—Arrest—Penalty—Defense—Peace officers, immunity) and 2000 c 119 s 22, 1999 c 184 s 11, 1996 c 248 s 10, 1995 c 246 s 30, & 1987 c 460 s 50; and

(28)RCW 26.10.910 (Short title—1987 c 460).

NEW SECTION. Sec. 906. A new section is added to chapter 11.130 RCW to read as follows:

(1) To the extent of a conflict between this chapter and chapter 11.88 or 11.92 RCW, chapter 11.88 or 11.92 RCW prevails.

(2) This section expires January 1, 2022.

NEW SECTION. Sec. 907. (1) Except for sections 101 through 113, 115 through 123, 301 through 307, 312, 313, 801, 902, 903, 905, and 906 of this act, this act takes effect January 1, 2022.

(2) Sections 101 through 113, 115 through 123, 301 through 307, 312, 313, 801, 905, and 906 of this act take effect January 1, 2021."

On page 1, line 4 of the title, after "11.130.250," strike "11.130.915,"

On page 1, line 22 of the title, after "74.34.163," strike "and 74.42.430" and insert "74.42.430, and 11.130.915"

On page 2, line 2 of the title, after "RCW;" strike "and providing an effective date." and insert "repealing RCW 11.88.005, 11.88.008, 11.88.010, 11.88.020, 11.88.030, 11.88.040, 11.88.045, 11.88.080, 11.88.090, 11.88.093, 11.88.095, 11.88.097, 11.88.100, 11.88.105, 11.88.107, 11.88.110, 11.88.115, 11.88.120, 11.88.125, 11.88.127, 11.88.130, 11.88.140, 11.88.150, 11.88.160, 11.88.170, 11.88.900, 11.92.010, 11.92.035, 11.92.040, 11.92.043, 11.92.050, 11.92.053, 11.92.056, 11.92.060, 11.92.090, 11.92.096, 11.92.100, 11.92.110, 11.92.115, 11.92.120, 11.92.125, 11.92.130, 11.92.140, 11.92.150, 11.92.160, 11.92.170, 11.92.180, 11.92.185, 11.92.190, 11.92.195, 26.10.010, 26.10.015, 26.10.020, 26.10.030, 26.10.032, 26.10.034, 26.10.040, 26.10.045, 26.10.050, 26.10.060, 26.10.070, 26.10.080, 26.10.090, 26.10.100, 26.10.110, 26.10.120, 26.10.130, 26.10.135, 26.10.140, 26.10.150, 26.10.160, 26.10.170, 26.10.180, 26.10.190, 26.10.200, 26.10.210, 26.10.220, and 26.10.910; repealing 2019 c 437 s 801 (uncodified); providing effective dates; and providing an expiration date."

Senator Pedersen spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1052 by Senators Pedersen and Padden on page 16, line 17 to Substitute Senate Bill No. 6287.

The motion by Senator Pedersen carried and floor amendment no. 1052 was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute Senate Bill No. 6287 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen, Padden and Braun 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. 6287.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6287 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6287, having received the 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

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

SENATE BILL NO. 6476, by Senators Stanford, Darneille, Wilson, C., Nguyen, Hasegawa and Saldaña

Senators Liias, Holy, Short and Ericksen spoke in favor of passage of the bill.

Increasing and expanding access of inmates and immediate family members of inmates to services provided within correctional facilities.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6142.

MOTIONS

ROLL CALL

On motion of Senator Stanford, Substitute Senate Bill No. 6476 was substituted for Senate Bill No. 6476 and the substitute bill was placed on the second reading and read the second time.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6142 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

On motion of Senator Stanford, the rules were suspended, Substitute Senate Bill No. 6476 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Stanford spoke in favor of passage of the bill.

Excused: Senator Fortunato

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6476.

ROLL CALL

SUBSTITUTE SENATE BILL NO. 6142, having received the 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 Secretary called the roll on the final passage of Substitute Senate Bill No. 6476 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

MOTION

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

At 2:04 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Excused: Senator Fortunato

The Senate was called to order at 4:03 p.m. by President Habib.

MOTION

SUBSTITUTE SENATE BILL NO. 6476, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

INTRODUCTION OF SPECIAL GUESTS

MESSAGE FROM THE HOUSE

The President welcomed students of Liberty Middle School from Camas who were seated in the gallery. The students were guests of Senator Rivers.

February 17, 2020

SECOND READING

MR. PRESIDENT:

SENATE BILL NO. 6142, by Senators Liias, Randall, Dhingra, Hasegawa, Mullet, Nguyen, Stanford, Carlyle, and Wilson, C.

The House has passed:

Creating the Washington common application.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1503,
ENGROSSED HOUSE BILL NO. 1552,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1608,
ENGROSSED HOUSE BILL NO. 1694,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1754,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2036,
ENGROSSED HOUSE BILL NO. 2461,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2576,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2660,
ENGROSSED HOUSE BILL NO. 2687,
ENGROSSED HOUSE BILL NO. 2755,
ENGROSSED HOUSE BILL NO. 2896,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTIONS

MOTION

On motion of Senator Liias, Substitute Senate Bill No. 6142 was substituted for Senate Bill No. 6142 and the substitute bill was placed on the second reading and read the second time.

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

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 6142 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

SECOND READING

SENATE BILL NO. 5402, by Senators Schoesler and Rolfes

Improving tax and licensing laws administered by the department of revenue, but not including changes to tax laws that are estimated to affect state or local tax collections as reflected in any fiscal note prepared and approved under the process established in chapter 43.88A RCW.

The measure was read the second time.

MOTION

Senator Schoesler moved that the following striking floor amendment no. 1135 by Senators Schoesler and Keiser be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** 2017 3rd sp.s. c 37 s 501 (uncodified) is amended to read as follows:

(1) This section is the tax preference performance statement for the tax preferences contained in sections 502 and 503, chapter 37, Laws of 2017 3rd sp. sess. This performance statement is only intended to be used for subsequent evaluation of the tax preferences. 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 these tax preferences as ones intended to induce certain designated behavior by taxpayers, improve industry competitiveness, and create or retain jobs, as indicated in RCW 82.32.808(2) (a) through (c).

(3) It is the legislature's specific public policy objective to maintain and expand business in the semiconductor cluster. It is the legislature's intent to extend by ten years the preferential tax rates for manufacturers and processors for hire of semiconductor materials in order to maintain and grow jobs in the semiconductor cluster.

(4) If a review finds that: (a) Since October 19, 2017, at least one project in the semiconductor cluster has located in Clark county, and that this project generates at least two thousand five hundred high-wage jobs, all of which pay twenty dollars per hour or more and at least eighty percent of which pay thirty-five dollars per hour or more; and (b) the number of jobs in the semiconductor cluster in Washington has increased since October 19, 2017, 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 data from the department of revenue's annual survey (~~(data)~~) for tax years ending before January 1, 2020, and annual tax performance report for subsequent tax years.

"**Sec. 2.** 2017 3rd sp.s. c 37 s 504 (uncodified) is amended to read as follows:

(1) This section is the tax preference performance statement for the tax preferences contained in sections 505 through 508, chapter 37, Laws of 2017 3rd sp. sess. This performance statement is only intended to be used for subsequent evaluation of the tax preferences. 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 these tax preferences as ones intended to induce certain designated behavior by taxpayers,

improve industry competitiveness, and create or retain jobs, as indicated in RCW 82.32.808(2) (a) through (c).

(3) It is the legislature's specific public policy objective to encourage significant construction projects; retain, expand, and attract semiconductor business; and encourage and expand family-wage jobs. It is the legislature's intent to extend by ten years the (~~(preferential tax rates)~~) exemptions for sales and use of gases and chemicals used in the production of semiconductor materials, in order to encourage the growth and retention of the semiconductor business in Washington, thereby strengthening Washington's competitiveness with other states for manufacturing investment.

(4) If a review finds that the number of construction projects in the industry has increased, and that (~~(the))~~ the number of people employed by the solar silicon, silicon manufacturing, and semiconductor fabrication industry in Washington is the same or more than in 2015, and that at least sixty percent of employees earn sixty thousand dollars a year, then the legislature intends to extend the expiration date of the tax preferences.

(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 data from the department of revenue's annual survey (~~(data)~~) for tax years ending before January 1, 2020, and annual tax performance report for subsequent tax years.

"**Sec. 3.** RCW 19.02.085 and 2013 c 144 s 22 are each amended to read as follows:

(1) To encourage timely renewal by applicants, a business license delinquency fee is imposed on licensees who fail to renew by the business license expiration date. The business license delinquency fee must be the lesser of one hundred fifty dollars or fifty percent of a base comprised of the licensee's renewal fee minus corporate licensing taxes, corporation annual report fee, and any interest fees or penalties charged for late taxes or corporate renewals. The business license delinquency fee must be added to the renewal fee and paid by the licensee before a business license is renewed. The delinquency fee must be deposited in the business license account.

(2) The department must waive or cancel the business license delinquency fee imposed in subsection (1) of this section only if the department determines that the licensee failed to renew a license by the business license expiration date due to an undisputable error or failure by the department. For purposes of this subsection, an error or failure is undisputable if the department is satisfied, beyond any doubt, that the error or failure occurred.

"**Sec. 4.** RCW 82.04.192 and 2017 c 323 s 514 are each amended to read as follows:

(1) "Digital audio works" means works that result from the fixation of a series of musical, spoken, or other sounds, including ringtones.

(2) "Digital audiovisual works" means a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sounds, if any.

(3)(a) "Digital automated service," except as provided in (b) of this subsection (3), means any service transferred electronically that uses one or more software applications.

(b) "Digital automated service" does not include:

(i) Any service that primarily involves the application of human effort by the seller, and the human effort originated after the customer requested the service;

(ii) The loaning or transferring of money or the purchase, sale, or transfer of financial instruments. For purposes of this subsection (3)(b)(ii), "financial instruments" include cash, accounts receivable and payable, loans and notes receivable and

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

payable, debt securities, equity securities, as well as derivative contracts such as forward contracts, swap contracts, and options;

- (iii) Dispensing cash or other physical items from a machine;
- (iv) Payment processing services;
- (v) Parimutuel wagering and handicapping contests as authorized by chapter 67.16 RCW;
- (vi) Telecommunications services and ancillary services as those terms are defined in RCW 82.04.065;
- (vii) The internet and internet access as those terms are defined in RCW 82.04.297;
- (viii) The service described in RCW 82.04.050(6)(c);
- (ix) Online educational programs provided by a:
 - (A) Public or private elementary or secondary school; or
 - (B) An institution of higher education as defined in sections 1001 or 1002 of the federal higher education act of 1965 (Title 20 U.S.C. Secs. 1001 and 1002), as existing on July 1, 2009. For purposes of this subsection (3)(b)(ix)(B), an online educational program must be encompassed within the institution's accreditation;
- (x) Live presentations, such as lectures, seminars, workshops, or courses, where participants are connected to other participants via the internet or telecommunications equipment, which allows audience members and the presenter or instructor to give, receive, and discuss information with each other in real time;
- (xi) Travel agent services, including online travel services, and automated systems used by travel agents to book reservations;
- (xii)(A) A service that allows the person receiving the service to make online sales of products or services, digital or otherwise, using either: (I) The service provider's web site; or (II) the service recipient's web site, but only when the service provider's technology is used in creating or hosting the service recipient's web site or is used in processing orders from customers using the service recipient's web site.
 - (B) The service described in this subsection (3)(b)(xii) does not include the underlying sale of the products or services, digital or otherwise, by the person receiving the service;
- (xiii) Advertising services. For purposes of this subsection (3)(b)(xiii), "advertising services" means all services directly related to the creation, preparation, production, or the dissemination of advertisements. Advertising services include layout, art direction, graphic design, mechanical preparation, production supervision, placement, and rendering advice to a client concerning the best methods of advertising that client's products or services. Advertising services also include online referrals, search engine marketing and lead generation optimization, web campaign planning, the acquisition of advertising space in the internet media, and the monitoring and evaluation of web site traffic for purposes of determining the effectiveness of an advertising campaign. Advertising services do not include web hosting services and domain name registration;
- (xiv) The mere storage of digital products, digital codes, computer software, or master copies of software. This exclusion from the definition of digital automated services includes providing space on a server for web hosting or the backing up of data or other information;
- (xv) Data processing services. For purposes of this subsection (3)(b)(xv), "data processing service" means a primarily automated service provided to a business or other organization where the primary object of the service is the systematic performance of operations by the service provider on data supplied in whole or in part by the customer to extract the required information in an appropriate form or to convert the data to usable information. Data processing services include check processing, image processing, form processing, survey processing, payroll processing, claim processing, and similar activities. Data

processing does not include the service described in RCW 82.04.050(6)(c); and

- (xvi) Digital goods.
 - (4) "Digital books" means works that are generally recognized in the ordinary and usual sense as books.
 - (5) "Digital code" means a code that provides a purchaser with the right to obtain one or more digital products, if all of the digital products to be obtained through the use of the code have the same sales and use tax treatment. "Digital code" does not include a code that represents a stored monetary value that is deducted from a total as it is used by the purchaser. "Digital code" also does not include a code that represents a redeemable card, gift card, or gift certificate that entitles the holder to select digital products of an indicated cash value. A digital code may be obtained by any means, including email or by tangible means regardless of its designation as song code, video code, book code, or some other term.
 - (6)(a) "Digital goods," except as provided in (b) of this subsection (6), means sounds, images, data, facts, or information, or any combination thereof, transferred electronically, including, but not limited to, specified digital products and other products transferred electronically not included within the definition of specified digital products.
 - (b) The term "digital goods" does not include:
 - (i) Telecommunications services and ancillary services as those terms are defined in RCW 82.04.065;
 - (ii) Computer software as defined in RCW 82.04.215;
 - (iii) The internet and internet access as those terms are defined in RCW 82.04.297;
 - (iv)(A) Except as provided in (b)(iv)(B) of this subsection (6), the representation of a personal or professional service in electronic form, such as an electronic copy of an engineering report prepared by an engineer, where the service primarily involves the application of human effort by the service provider, and the human effort originated after the customer requested the service.
 - (B) The exclusion in (b)(iv)(A) of this subsection (6) does not apply to photographers in respect to amounts received for the taking of photographs that are transferred electronically to the customer, but only if the customer is an end user, as defined in RCW 82.04.190(11), of the photographs. Such amounts are considered to be for the sale of digital goods; and
 - (v) Services and activities excluded from the definition of digital automated services in subsection (3)(b)(i) through (xv) of this section and not otherwise described in (b)(i) through (iv) of this subsection (6).
 - (7) "Digital products" means digital goods and digital automated services.
 - (8) "Electronically transferred" or "transferred electronically" means obtained by the purchaser by means other than tangible storage media. It is not necessary that a copy of the product be physically transferred to the purchaser. So long as the purchaser may access the product, it will be considered to have been electronically transferred to the purchaser.
 - (9) "Specified digital products" means electronically transferred digital audiovisual works, digital audio works, and digital books.
 - (10) "Subscription radio services" means the sale of audio programming by a radio broadcaster as defined in RCW ~~((82.08.0208))~~ 82.08.0208, except as otherwise provided in this subsection. "Subscription radio services" does not include audio programming that is sold on a pay-per-program basis or that allows the buyer to access a library of programs at any time for a specific charge for that service.

(11) "Subscription television services" means the sale of video programming by a television broadcaster as defined in RCW ~~((82.08.0204))~~ 82.08.0208, except as otherwise provided in this subsection. "Subscription television services" does not include video programming that is sold on a pay-per-program basis or that allows the buyer to access a library of programs at any time for a specific charge for that service, but only if the seller is not subject to a franchise fee in this state under the authority of Title 47 U.S.C. Sec. 542(a) on the gross revenue derived from the sale.

Sec. 5. RCW 82.04.4266 and 2015 3rd sp.s. c 6 s 202 are each amended to read as follows:

(1) This chapter does not apply to the value of products or the gross proceeds of sales derived from:

(a) Manufacturing fruits or vegetables by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables; or

(b) Selling at wholesale fruits or vegetables manufactured by the seller by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables and sold to purchasers who transport in the ordinary course of business the goods out of this state. A person taking an exemption under this subsection (1)(b) must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state.

(2) For purposes of this section, "fruits" and "vegetables" do not include marijuana, useable marijuana, or marijuana-infused products.

(3) A person claiming the exemption provided in this section must file a complete annual ~~((survey))~~ tax performance report with the department under RCW ~~((82.32.585))~~ 82.32.534.

(4) This section expires July 1, 2025.

Sec. 6. RCW 82.04.4268 and 2015 3rd sp.s. c 6 s 203 are each amended to read as follows:

(1) In computing tax there may be deducted from the measure of tax, the value of products or the gross proceeds of sales derived from:

(a) Manufacturing dairy products; or

(b) Selling dairy products manufactured by the seller to purchasers who either transport in the ordinary course of business the goods out of this state or purchasers who use such dairy products as an ingredient or component in the manufacturing of a dairy product. A person taking an exemption under this subsection (1)(b) must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state or sold to a manufacturer for use as an ingredient or component in the manufacturing of a dairy product.

(2) "Dairy products" has the same meaning as provided in RCW 82.04.260.

(3) A person claiming the exemption provided in this section must file a complete annual ~~((survey))~~ tax performance report with the department under RCW ~~((82.32.585))~~ 82.32.534.

(4) This section expires July 1, 2025.

Sec. 7. RCW 82.04.4269 and 2015 3rd sp.s. c 6 s 204 are each amended to read as follows:

(1) This chapter does not apply to the value of products or the gross proceeds of sales derived from:

(a) Manufacturing seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; or

(b) Selling manufactured seafood products that remain in a raw, raw frozen, or raw salted state to purchasers who transport in the ordinary course of business the goods out of this state. A person taking an exemption under this subsection (1)(b) must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state.

(2) A person claiming the exemption provided in this section must file a complete annual ~~((survey))~~ tax performance report with the department under RCW ~~((82.32.585))~~ 82.32.534.

(3) This section expires July 1, 2025.

Sec. 8. RCW 82.04.4327 and 1985 c 471 s 6 are each amended to read as follows:

In computing tax ~~((there may be deducted))~~ under this chapter, an artistic or cultural organization may deduct from the measure of tax ~~((those))~~:

(1) All amounts received by the artistic or cultural ~~((organizations which represent income derived from business activities conducted by the organization))~~ organization; and

(2) The value of articles manufactured by the artistic or cultural organization solely for use by the organization in displaying art objects or presenting artistic or cultural exhibitions, performances, or programs for attendance or viewing by the general public.

Sec. 9. RCW 82.04.4328 and 1985 c 471 s 7 are each amended to read as follows:

(1) For the purposes of RCW ~~((82.04.4322, 82.04.4324, 82.04.4326,))~~ 82.04.4327, 82.08.031, and 82.12.031, the term "artistic or cultural organization" means an organization ~~((which))~~ that is organized and operated exclusively for the purpose of providing artistic or cultural exhibitions, presentations, or performances or cultural or art education programs, as defined in subsection (2) of this section, for viewing or attendance by the general public. The organization must be a not-for-profit corporation under chapter 24.03 RCW and managed by a governing board of not less than eight individuals none of whom is a paid employee of the organization or by a corporation sole under chapter 24.12 RCW. In addition, to qualify for deduction or exemption from taxation under RCW ~~((82.04.4322, 82.04.4324, 82.04.4326,))~~ 82.04.4327, 82.08.031, and 82.12.031, the corporation ~~((shall))~~ must satisfy the following conditions:

(a) No part of its income may be paid directly or indirectly to its members, stockholders, officers, directors, or trustees except in the form of services rendered by the corporation in accordance with its purposes and bylaws;

(b) Salary or compensation paid to its officers and executives must be only for actual services rendered, and at levels comparable to the salary or compensation of like positions within the state;

(c) Assets of the corporation must be irrevocably dedicated to the activities for which the exemption is granted and, on the liquidation, dissolution, or abandonment by the corporation, may not inure directly or indirectly to the benefit of any member or individual except a nonprofit organization, association, or corporation which also would be entitled to the exemption;

(d) The corporation must be duly licensed or certified when licensing or certification is required by law or regulation;

(e) The amounts received that qualify for exemption must be used for the activities for which the exemption is granted;

(f) Services must be available regardless of race, color, national origin, or ancestry; and

(g) The director of revenue ~~((shall))~~ must have access to its books in order to determine whether the corporation is exempt from taxes.

(2) The term "artistic or cultural exhibitions, presentations, or performances or cultural or art education programs" includes and is limited to:

(a) An exhibition or presentation of works of art or objects of cultural or historical significance, such as those commonly displayed in art or history museums;

(b) A musical or dramatic performance or series of performances; or

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

(c) An educational seminar or program, or series of such programs, offered by the organization to the general public on an artistic, cultural, or historical subject.

Sec. 10. RCW 82.08.0201 and 1992 c 194 s 10 are each amended to read as follows:

Before January 1, 1994, and January 1st of each odd-numbered year thereafter:

The department of licensing, with the assistance of the department of revenue, ~~((shall))~~ must provide the office of financial management and the fiscal committees of the legislature with an updated estimate of the amount of revenue attributable to the taxes imposed in RCW 82.08.020(2)~~((, and the amount of revenue not collected as a result of RCW 82.44.023)).~~

Sec. 11. RCW 82.08.0208 and 2009 c 535 s 501 are each amended to read as follows:

(1) The tax imposed by RCW 82.08.020 does not apply to the sale of a digital code for one or more digital products if the sale of the digital products to which the digital code relates is exempt from the tax levied by RCW 82.08.020.

(2)(a) The tax imposed by RCW 82.08.020 does not apply to a business or other organization for the purpose of making the digital good or digital automated service, including a digital good or digital automated service acquired through the use of a digital code, or service defined as a retail sale in RCW 82.04.050(6)(c), available free of charge for the use or enjoyment of the general public. The exemption provided in this subsection (2) does not apply unless the purchaser has the legal right to broadcast, rebroadcast, transmit, retransmit, license, relicense, distribute, redistribute, or exhibit the product, in whole or in part, to the general public.

(b) For purposes of this subsection (2), "general public" means all persons and not limited or restricted to a particular class of persons, except that the general public includes:

(i) A class of persons that is defined as all persons residing or owning property within the boundaries of a state, political subdivision of a state, or a municipal corporation; and

(ii) With respect to libraries, authorized library patrons.

(3)(a) The tax imposed by RCW 82.08.020 does not apply to the sale to a business of digital goods, and services rendered in respect to digital goods, if the digital goods and services rendered in respect to digital goods are purchased solely for business purposes. The exemption provided by this subsection (3) also applies to the sale to a business of a digital code if all of the digital goods to be obtained through the use of the code will be used solely for business purposes.

(b) For purposes of this subsection (3), the following definitions apply:

(i) "Business purposes" means any purpose relevant to the business needs of the taxpayer claiming an exemption under this subsection (3). Business purposes do not include any personal, family, or household purpose. The term also does not include any activity conducted by a government entity as that term is defined in RCW 7.25.005; and

(ii) "Services rendered in respect to digital goods" means those services defined as a retail sale in RCW 82.04.050(2)(g).

(4)(a) The tax imposed by RCW 82.08.020 does not apply to the sale of digital goods, digital codes, digital automated services, prewritten computer software, or services defined as a retail sale in RCW 82.04.050(6)(c) to a buyer that provides the seller with an exemption certificate claiming multiple points of use. An exemption certificate claiming multiple points of use must be in a form and contain such information as required by the department.

(b) A buyer is entitled to use an exemption certificate claiming multiple points of use only if the buyer is a business or other

organization and the digital goods or digital automated services purchased, or the digital goods or digital automated services to be obtained by the digital code purchased, or the prewritten computer software or services defined as a retail sale in RCW 82.04.050(6)(c) purchased will be concurrently available for use within and outside this state. A buyer is not entitled to use an exemption certificate claiming multiple points of use for digital goods, digital codes, digital automated services, prewritten computer software, or services defined as a retail sale in RCW 82.04.050(6)(c) purchased for personal use.

(c) A buyer claiming an exemption under this subsection (4) must report and pay the tax imposed in RCW 82.12.020 and any local use taxes imposed under the authority of chapter 82.14 RCW and RCW 81.104.170 directly to the department in accordance with RCW 82.12.0208 and 82.14.457.

(d) For purposes of this subsection (4), "concurrently available for use within and outside this state" means that employees or other agents of the buyer may use the digital goods, digital automated services, prewritten computer software, or services defined as a retail sale in RCW 82.04.050(6)(c) simultaneously from one or more locations within this state and one or more locations outside this state. A digital code is concurrently available for use within and outside this state if employees or other agents of the buyer may use the digital goods or digital automated services to be obtained by the code simultaneously at one or more locations within this state and one or more locations outside this state.

(5)(a) Except as provided in (b) of this subsection (5), the tax imposed by RCW 82.08.020 does not apply to sales of audio or video programming by a radio or television broadcaster.

(b)(i) Except as provided in (b)(ii) of this subsection (5), the exemption provided in this subsection (5) does not apply in respect to programming that is sold on a pay-per-program basis or that allows the buyer to access a library of programs at any time for a specific charge for that service.

(ii) The exemption provided in this subsection (5) applies to the sale of programming described in (b)(i) of this subsection (5) if the seller is subject to a franchise fee in this state under the authority of Title 47 U.S.C. Sec. 542(a) on the gross revenue derived from the sale.

(c) For purposes of this subsection (5), "radio or television broadcaster" includes satellite radio providers, satellite television providers, cable television providers, and providers of subscription internet television.

(6) Sellers making tax-exempt sales under subsection (2) or (3) of this section must obtain an exemption certificate from the buyer in a form and manner prescribed by the department. The seller must retain a copy of the exemption certificate for the seller's files. In lieu of an exemption certificate, a seller may capture the relevant data elements as allowed under the streamlined sales and use tax agreement.

Sec. 12. RCW 82.08.025651 and 2011 c 23 s 4 are each amended to read as follows:

(1)(a) The tax levied by RCW 82.08.020 does not apply to sales to a public research institution of machinery and equipment used primarily in a research and development operation, or to sales of or charges made for labor and services rendered in respect to installing, repairing, cleaning, altering, or improving the machinery and equipment.

(b) Sellers making tax-exempt sales under this section must obtain from the purchaser an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

(2) A public research institution claiming the exemption provided in this section must file a complete annual ~~((survey))~~ tax

performance report with the department under RCW ~~((82.32.585))~~ 82.32.534.

(3) For purposes of this section, the following definitions apply:

(a) "Machinery and equipment" means those fixtures, pieces of equipment, digital goods, and support facilities that are an integral and necessary part of a research and development operation, and tangible personal property that becomes an ingredient or component of such fixtures, equipment, and support facilities, including repair parts and replacement parts. "Machinery and equipment" may include, but is not limited to: Computers; software; data processing equipment; laboratory equipment, instrumentation, and other devices used in a process of experimentation to develop a new or improved pilot model, plant process, product, formula, or invention; vats, tanks, and fermenters; operating structures; and all equipment used to control, monitor, or operate the machinery and equipment.

(b) "Machinery and equipment" does not include:

- (i) Hand-powered tools;
- (ii) Property with a useful life of less than one year;
- (iii) Buildings; and

(iv) Those building fixtures that are not an integral and necessary part of a research and development operation and that are permanently affixed to and become a physical part of a building, such as utility systems for heating, ventilation, air conditioning, communications, plumbing, or electrical.

(c) "Primarily" means greater than fifty percent as measured by time. If machinery and equipment is used simultaneously in a research and development operation and also for other purposes, the use for other purposes must be disregarded during the period of simultaneous use for purposes of determining whether the machinery and equipment is used primarily in a research and development operation.

(d) "Public research institution" means any college or university included within the definitions of state universities, regional universities, or state college in RCW 28B.10.016.

(e) "Research and development operation" means engaging in research and development as defined in RCW 82.63.010.

Sec. 13. RCW 82.08.02807 and 2014 c 97 s 306 are each amended to read as follows:

(1) The tax levied by RCW 82.08.020 (~~shall~~) does not apply to the sales of medical supplies, chemicals, or materials to an organ procurement organization exempt under RCW 82.04.326. This exemption does not apply to the sale of construction materials, office equipment, building equipment, administrative supplies, or vehicles.

(2) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Chemical" means any catalyst, solvent, water, acid, oil, or other additive that physically or chemically interacts with blood, bone, or tissue.

(b) "Materials" means any item of tangible personal property including, but not limited to, bags, packs, collecting sets, filtering materials, testing reagents, antisera, and refrigerants, used or consumed in performing research on, procuring, testing, processing, storing, packaging, distributing, or using blood, bone, or tissue.

(c) "Medical supplies" means any item of tangible personal property, including any repair and replacement parts for such tangible personal property, used by an organ procurement organization exempt under RCW 82.04.326 for the purpose of performing research on, procuring, testing, processing, storing, packaging, distributing, or using blood, bone, or tissue. The term includes tangible personal property used to:

- (i) Provide preparatory treatment of blood, bone, or tissue;

(ii) Control, guide, measure, tune, verify, align, regulate, test, or physically support blood, bone, or tissue; or

(iii) Protect the health and safety of employees or others present during research on, procuring, testing, processing, storing, packaging, distributing, or using blood, bone, or tissue.

Sec. 14. RCW 82.08.155 and 2012 c 39 s 1 are each amended to read as follows:

(1)(a) If the department determines that a taxpayer is more than thirty days delinquent in reporting or remitting spirits taxes on a tax return or assessed by the department, including any applicable penalties and interest on such taxes, the department may request that the liquor (~~(control))~~ and cannabis board suspend the taxpayer's spirits license or licenses and refuse to renew any existing spirits license held by the taxpayer or issue any new spirits license to the taxpayer. The department must provide written notice to the affected taxpayer of the department's request to the liquor (~~(control))~~ and cannabis board.

(b) Before the department may make a request to the liquor (~~(control))~~ and cannabis board as authorized in (a) of this subsection (1), the department must have provided the taxpayer with at least seven calendar days prior written notice. This notice must inform the taxpayer that the department intends to request that the liquor (~~(control))~~ and cannabis board suspend the taxpayer's spirits license or licenses and refuse to renew any existing license of the taxpayer or issue any new spirits license to the taxpayer unless, within seven calendar days of the date of the notice, the taxpayer submits any unfiled tax returns for reporting spirits taxes and remits full payment of its outstanding spirits tax liability to the department or negotiates payment arrangements for the unpaid spirits taxes. The notice required by this subsection (1)(b) must include information listing any unfiled tax returns; the amount of unpaid spirits taxes, including any applicable penalties and interest; who to contact to inquire about payment arrangements; and that the taxpayer may seek administrative review by the department of the notice, and the deadline for seeking such review. Nothing in this subsection (1)(b) requires the department to enter into any payment arrangement proposed by a taxpayer if the department determines that the taxpayer's proposal is not satisfactory.

(c) The department may not make a request to the liquor (~~(control))~~ and cannabis board under (a) of this subsection (~~((1)(a) of this section))~~ relating to any spirits taxes that are the subject of pending administrative review by the department.

(2) A taxpayer's right to administrative review of the notice required in subsection (1)(b) of this section:

(a) May be conducted under any rule adopted pursuant to RCW 82.01.060(4) or as a brief adjudicative proceeding under RCW 34.05.485 through 34.05.494; and

(b) Does not include the right to challenge the amount of any spirits taxes assessed by the department if the taxpayer previously sought or could have sought administrative review of the assessment as provided in RCW 82.32.160.

(3) The notices required by this section may be provided electronically in accordance with RCW 82.32.135.

(4) For purposes of this section:

(a) "Spirits license" has the same meaning as in RCW 66.24.010(3)(c); and

(b) "Spirits taxes" means the taxes imposed in RCW 82.08.150.

Sec. 15. RCW 82.08.195 and 2010 c 111 s 601 are each amended to read as follows:

(1) Except as provided in subsection (6) of this section, a bundled transaction is subject to the tax imposed by RCW 82.08.020 if the retail sale of any of its component products would be subject to the tax imposed by RCW 82.08.020.

(2) The transactions described in RCW 82.08.190(4) (a) and (b) are subject to the tax imposed by RCW 82.08.020 if the

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

service that is the true object of the transaction is subject to the tax imposed by RCW 82.08.020. If the service that is the true object of the transaction is not subject to the tax imposed by RCW 82.08.020, the transaction is not subject to the tax imposed by RCW 82.08.020.

(3) The transaction described in RCW 82.08.190(4)(c) is not subject to the tax imposed by RCW 82.08.020.

(4) The transaction described in RCW 82.08.190(4)(d) is not subject to the tax imposed by RCW 82.08.020.

(5) In the case of a bundled transaction that includes any of the following: Telecommunications service, ancillary service, internet access, or audio or video programming service:

(a) If the price is attributable to products that are taxable and products that are not taxable, the portion of the price attributable to the nontaxable products are subject to the tax imposed by RCW 82.08.020 unless the seller can identify by reasonable and verifiable standards the portion from its books and records that are kept in the regular course of business for other purposes including, but not limited to, nontax purposes;

(b) If the price is attributable to products that are subject to tax at different tax rates, the total price is attributable to the products subject to the tax at the highest tax rate unless the seller can identify by reasonable and verifiable standards the portion of the price attributable to the products subject to the tax imposed by RCW 82.08.020 at the lower rate from its books and records that are kept in the regular course of business for other purposes including, but not limited to, nontax purposes.

(6) The tax imposed by RCW 82.08.020 does not apply in respect to a bundled transaction consisting entirely of the sale of services or of services and prepared food, if the sale is to a resident, sixty-two years of age or older, of a qualified low-income senior housing facility by the lessor or operator of the facility. A single bundled transaction involving both spouses of a marital community or both domestic partners of a domestic partnership meets the age requirement in this subsection if at least one of the spouses or domestic partners is at least sixty-two years of age. For purposes of this subsection, "qualified low-income senior housing facility" has the same meaning as in RCW 82.08.0293.

(7) In the case of the sale of a code that provides a purchaser with the right to obtain more than one digital product or one or more digital products and other products or services, and all of the products and services, digital or otherwise, to be obtained through the use of the code do not have the same sales and use tax treatment, for purposes of the tax imposed by RCW 82.08.020:

(a) The transaction is deemed to be the sale of the products and services to be obtained through the use of the code; and

(b)(i) The tax imposed by RCW 82.08.020 applies to the entire selling price of the code, except as provided in (b)(ii) of this subsection (7).

(ii) If the seller can identify by reasonable and verifiable standards the portion of the selling price attributable to the products and services that are not subject to the tax imposed by RCW 82.08.020 from its books and records that are kept in the regular course of business for other purposes including, but not limited to, nontax purposes, the tax imposed by RCW 82.08.020 does not apply to that portion of the selling price of the code attributable to the products and services that are not subject to the tax imposed by RCW 82.08.020 nor to that portion of the selling price of the code attributable to any digital goods, the sale of which is exempt under RCW ~~((82.08.02087))~~ 82.08.0208(3).

Sec. 16. RCW 82.08.806 and 2011 c 174 s 204 are each amended to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to sales, to a printer or publisher, of computer equipment, including repair

parts and replacement parts for such equipment, when the computer equipment is used primarily in the printing or publishing of any printed material, or to sales of or charges made for labor and services rendered in respect to installing, repairing, cleaning, altering, or improving the computer equipment. This exemption applies only to computer equipment not otherwise exempt under RCW 82.08.02565.

(2) A person taking the exemption under this section must keep records necessary for the department to verify eligibility under this section. This exemption is available only when the purchaser provides the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

(3) The definitions in this subsection (3) apply throughout this section, unless the context clearly requires otherwise.

(a) "Computer" has the same meaning as in RCW 82.04.215.

(b) "Computer equipment" means a computer and the associated physical components that constitute a computer system, including monitors, keyboards, printers, modems, scanners, pointing devices, and other computer peripheral equipment, cables, servers, and routers. "Computer equipment" also includes digital cameras and computer software.

(c) "Computer software" has the same meaning as in RCW 82.04.215.

(d) "Primarily" means greater than fifty percent as measured by time.

(e) "Printer or publisher" means a person, as defined in RCW 82.04.030, who is subject to tax under RCW 82.04.260~~((43))~~ (14) or 82.04.280(1)(a).

(4) "Computer equipment" does not include computer equipment that is used primarily for administrative purposes including but not limited to payroll processing, accounting, customer service, telemarketing, and collection. If computer equipment is used simultaneously for administrative and nonadministrative purposes, the administrative use must be disregarded during the period of simultaneous use for purposes of determining whether the computer equipment is used primarily for administrative purposes.

Sec. 17. RCW 82.08.956 and 2013 2nd sp.s. c 13 s 1002 are each amended to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to sales of hog fuel used to produce electricity, steam, heat, or biofuel. This exemption is available only if the buyer provides the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

(2) For the purposes of this section ~~((the following definitions apply))~~:

(a) "Biofuel" includes, but is not limited to, biodiesel, ethanol, and ethanol blend fuels and renewable liquid natural gas or liquid compressed natural gas made from biogas;

(b) "Biogas" includes waste gases derived from landfills and wastewater treatment plants and dairy and farm wastes; and

(c) "Hog fuel" means wood waste and other wood residuals including forest derived biomass. "Hog fuel" does not include firewood or wood pellets(~~and~~);

~~(b) "Biofuel" has the same meaning as provided in RCW 43.325.010).~~

(3) If a taxpayer who claimed an exemption under this section closes a facility in Washington for which employment positions were reported under RCW 82.32.605, resulting in a loss of jobs located within the state, the department must declare the amount of the tax exemption claimed under this section for the previous two calendar years to be immediately due.

(4) This section expires June 30, 2024.

Sec. 18. RCW 82.08.9651 and 2017 3rd sp.s. c 37 s 506 are each amended to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to sales of gases and chemicals used by a manufacturer or processor for hire in the production of semiconductor materials. This exemption is limited to gases and chemicals used in the production process to grow the product, deposit or grow permanent or sacrificial layers on the product, to etch or remove material from the product, to anneal the product, to immerse the product, to clean the product, and other such uses whereby the gases and chemicals come into direct contact with the product during the production process, or uses of gases and chemicals to clean the chambers and other like equipment in which such processing takes place. For the purposes of this section, "semiconductor materials" has the meaning provided in RCW 82.04.2404 and 82.04.294(3).

(2) A person claiming the exemption under this section must file a complete annual tax performance report with the department under RCW 82.32.534.

(3) No application is necessary for the tax exemption. The person is subject to all of the requirements of chapter 82.32 RCW.

(4) Any person who has claimed the ~~((preferential tax rate))~~ exemption under this section must reimburse the department for fifty percent of the amount of the tax preference under this section, if:

(a) The number of persons employed by the person claiming the tax preference is less than ninety percent of the person's three-year employment average for the three years immediately preceding the year in which the ~~((preferential tax rate))~~ exemption is claimed; or

(b) The person is subject to a review under section 501(4)(a), chapter 37, Laws of 2017 3rd sp. sess. and such person does not meet performance criteria in section 501(4)(a), chapter 37, Laws of 2017 3rd sp. sess.

(5) This section expires December 1, 2028.

Sec. 19. RCW 82.12.0208 and 2009 c 535 s 601 are each amended to read as follows:

(1) The provisions of this chapter do not apply in respect to the use of a digital code for one or more digital products, if the use of the digital products to which the digital code relates is exempt from the tax levied by RCW 82.12.020.

(2) The provisions of this chapter do not apply to the use by a business or other organization of digital goods, digital codes, digital automated services, or services defined as a retail sale in RCW 82.04.050(6)(c) for the purpose of making the digital good or digital automated service, including a digital good or digital automated service acquired through the use of a digital code, or service defined as a retail sale in RCW 82.04.050(6)(c) available free of charge for the use or enjoyment of the general public. For purposes of this subsection (2), "general public" has the same meaning as in RCW 82.08.0208. The exemption provided in this subsection (2) does not apply unless the user has the legal right to broadcast, rebroadcast, transmit, retransmit, license, relicense, distribute, redistribute, or exhibit the product, in whole or in part, to the general public.

(3) The provisions of this chapter do not apply to the use by students of digital goods furnished by a public or private elementary or secondary school, or an institution of higher education as defined in section 1001 or 1002 of the federal higher education act of 1965 (Title 20 U.S.C. Secs. 1001 and 1002), as existing on July 1, 2009.

(4)(a) The provisions of this chapter do not apply in respect to the use of digital goods that are:

(i) Of a noncommercial nature, such as personal email communications;

(ii) Created solely for an internal audience; or

(iii) Created solely for the business needs of the person who created the digital good, including business email communications, but not including the type of digital good that is offered for sale.

(b) This subsection (4) does not apply to the use of any digital goods purchased by the user, the user's donor, or anybody on the user's behalf.

(5) The provisions of this chapter do not apply in respect to the use of digital products or digital codes obtained by the end user free of charge.

(6) The provisions of this chapter do not apply to the use by a business of digital goods, and services rendered in respect to digital goods, where the digital goods and services rendered in respect to digital goods are used solely for business purposes. The exemption provided by this subsection (6) also applies to the use by a business of a digital code if all of the digital goods to be obtained through the use of the code will be used solely for business purposes. For purposes of this subsection (6), the definitions in RCW 82.08.0208 apply.

(7)(a) A business or other organization subject to the tax imposed in RCW 82.12.020 on the use of digital goods, digital codes, digital automated services, prewritten computer software, or services defined as a retail sale in RCW 82.04.050(6)(c) that are concurrently available for use within and outside this state is entitled to apportion the amount of tax due this state based on users in this state compared to users everywhere. The department may authorize or require an alternative method of apportionment supported by the taxpayer's records that fairly reflects the proportion of in-state to out-of-state use by the taxpayer of the digital goods, digital automated services, prewritten computer software, or services defined as a retail sale in RCW 82.04.050(6)(c).

(b) No apportionment under this subsection (7) is allowed unless the apportionment method is supported by the taxpayer's records kept in the ordinary course of business.

(c) For purposes of this subsection (7), the following definitions apply:

(i) "Concurrently available for use within and outside this state" means that employees or other agents of the taxpayer may use the digital goods, digital automated services, prewritten computer software, or services defined as a retail sale in RCW 82.04.050(6)(c) simultaneously at one or more locations within this state and one or more locations outside this state. A digital code is concurrently available for use within and outside this state if employees or other agents of the taxpayer may use the digital goods or digital automated services to be obtained by the code simultaneously at one or more locations within this state and one or more locations outside this state; and

(ii) "User" means an employee or agent of the taxpayer who is authorized by the taxpayer to use the digital goods, digital automated services, prewritten computer software, or services defined as a retail sale in RCW 82.04.050(6)(c) in the performance of his or her duties as an employee or other agent of the taxpayer.

(8)(a) Except as provided in (b) of this subsection (8), the provisions of this chapter do not apply to the use of audio or video programming provided by a radio or television broadcaster.

(b)(i) Except as provided in (b)(ii) of this subsection (8), the exemption provided in this subsection (8) does not apply in respect to programming that is sold on a pay-per-program basis or that allows the buyer to access a library of programs at any time for a specific charge for that service.

(ii) The exemption provided in this subsection (8) applies to the sale of programming described in (b)(i) of this subsection (8) if the seller is subject to a franchise fee in this state under the

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

authority of Title 47 U.S.C. Sec. 542(a) on the gross revenue derived from the sale.

(c) For purposes of this subsection (8), "radio or television broadcaster" includes satellite radio providers, satellite television providers, cable television providers, providers of subscription internet television, and persons who provide radio or television broadcasting to listeners or viewers for no charge.

Sec. 20. RCW 82.12.02749 and 2002 c 113 s 3 are each amended to read as follows:

The tax levied by RCW 82.08.020 ~~((shall))~~ does not apply to the use of medical supplies, chemicals, or materials by an organ procurement organization exempt under RCW 82.04.326. The definitions of medical supplies, chemicals, and materials in RCW ~~((82.04.324))~~ 82.08.02807 apply to this section. This exemption does not apply to the use of construction materials, office equipment, building equipment, administrative supplies, or vehicles.

Sec. 21. RCW 82.12.930 and 2003 c 5 s 17 are each amended to read as follows:

The provisions of this chapter do not apply with respect to the use by municipal corporations, the state, and all political subdivisions thereof of tangible personal property consumed and/or of labor and services as defined in RCW 82.04.050(2)(a) rendered in respect to contracts for watershed protection and/or flood prevention. This exemption is limited to that portion of the selling price that is reimbursed by the United States government according to the provisions of the watershed protection and flood prevention act (68 Stat. 666; 16 U.S.C. Sec. ~~((404))~~ 1001 et seq.).

Sec. 22. RCW 82.12.956 and 2013 2nd sp.s. c 13 s 1003 are each amended to read as follows:

(1) The provisions of this chapter do not apply with respect to the use of hog fuel for production of electricity, steam, heat, or biofuel.

(2) For the purposes of this section:

(a) "Biofuel" has the same meaning as provided in RCW 82.08.956; and

(b) "Hog fuel" has the same meaning as provided in RCW 82.08.956~~((and~~

~~(b) "Biofuel" has the same meaning as provided in RCW 43.325.010)).~~

(3) This section expires June 30, 2024.

Sec. 23. RCW 82.12.9651 and 2017 3rd sp.s. c 37 s 508 are each amended to read as follows:

(1) The provisions of this chapter do not apply with respect to the use of gases and chemicals used by a manufacturer or processor for hire in the production of semiconductor materials. This exemption is limited to gases and chemicals used in the production process to grow the product, deposit or grow permanent or sacrificial layers on the product, to etch or remove material from the product, to anneal the product, to immerse the product, to clean the product, and other such uses whereby the gases and chemicals come into direct contact with the product during the production process, or uses of gases and chemicals to clean the chambers and other like equipment in which such processing takes place. For purposes of this section, "semiconductor materials" has the meaning provided in RCW 82.04.2404 and 82.04.294(3).

(2) A person claiming the exemption under this section must file a complete annual tax performance report with the department under RCW 82.32.534.

(3) No application is necessary for the tax exemption. The person is subject to all of the requirements of chapter 82.32 RCW.

(4) Any person who has claimed the ~~((preferential tax rate))~~ exemption under this section must reimburse the department for

fifty percent of the amount of the tax preference under this section, if:

(a) The number of persons employed by the person claiming the tax preference is less than ninety percent of the person's three-year employment average for the three years immediately preceding the year in which the ~~((preferential tax rate))~~ exemption is claimed; or

(b) The person is subject to a review under section 501(4)(a), chapter 37, Laws of 2017 3rd sp. sess. and such person does not meet performance criteria in section 501(4)(a), chapter 37, Laws of 2017 3rd sp. sess.

(5) This section expires December 1, 2028.

Sec. 24. RCW 82.14.049 and 2011 c 174 s 107 are each amended to read as follows:

(1) The legislative authority of any county may impose a sales and use tax, in addition to the tax authorized by RCW 82.14.030, upon retail car rentals within the county that are taxable by the state under chapters 82.08 and 82.12 RCW. The rate of tax is one percent of the selling price in the case of a sales tax or rental value of the vehicle in the case of a use tax. Proceeds of the tax may not be used to subsidize any professional sports team and must be used solely for the following purposes:

(a) Acquiring, constructing, maintaining, or operating public sports stadium facilities;

(b) Engineering, planning, financial, legal, or professional services incidental to public sports stadium facilities;

(c) Youth or amateur sport activities or facilities; or

(d) Debt or refinancing debt issued for the purposes of subsection (1) of this section.

(2) In a county of one million or more, at least seventy-five percent of the tax imposed under this section must be used to retire the debt on the stadium under RCW 67.28.180(2)(b)~~((and))~~ (i)(B), until that debt is fully retired.

Sec. 25. RCW 82.14.400 and 2000 c 240 s 1 are each amended to read as follows:

(1) Upon the joint request of a metropolitan park district, a city with a population of more than one hundred fifty thousand, and a county legislative authority in a county with a national park and a population of more than five hundred thousand and less than one million five hundred thousand, the county ~~((shall))~~ must submit an authorizing proposition to the county voters, fixing and imposing a sales and use tax in accordance with this chapter for the purposes designated in subsection (4) of this section and identified in the joint request. Such proposition must be placed on a ballot for a special or general election to be held no later than one year after the date of the joint request.

(2) The proposition is approved if it receives the votes of a majority of those voting on the proposition.

(3) The tax authorized in this section is in addition to any other taxes authorized by law and ~~((shall))~~ must be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the county. The rate of tax ~~((shall))~~ must equal no more than one-tenth of one percent of the selling price in the case of a sales tax, or value of the article used, in the case of a use tax.

(4) Moneys received from any tax imposed under this section ~~((shall))~~ must be used solely for the purpose of providing funds for:

(a) Costs associated with financing, design, acquisition, construction, equipping, operating, maintaining, remodeling, repairing, reequipping, or improvement of zoo, aquarium, and wildlife preservation and display facilities that are currently accredited by the American zoo and aquarium association; or

(b) Those costs associated with (a) of this subsection and costs related to parks located within a county described in subsection (1) of this section.

(5) The department (~~(of revenue shall)~~) must perform the collection of such taxes on behalf of the county at no cost to the county. In lieu of the charge for the administration and collection of local sales and use taxes under RCW 82.14.050 from which the county is exempt under this subsection (5), a percentage of the tax revenues authorized by this section equal to one-half of the maximum percentage provided in RCW 82.14.050 (~~(shall)~~) must be transferred annually to the department of (~~(community, trade, and economic development)~~) commerce, or its successor agency, from the funds allocated under subsection (6)(b) of this section for a period of twelve years from the first date of distribution of funds under subsection (6)(b) of this section. The department of (~~(community, trade, and economic development)~~) commerce, or its successor agency, (~~(shall)~~) must use funds transferred to it pursuant to this subsection (5) to provide, operate, and maintain community-based housing under chapter 43.185 RCW for (~~(persons who are mentally ill)~~) individuals with mental illness.

(6) If the joint request and the authorizing proposition include provisions for funding those costs included within subsection (4)(b) of this section, the tax revenues authorized by this section (~~(shall)~~) must be allocated annually as follows:

(a) Fifty percent to the zoo and aquarium advisory authority; and

(b) Fifty percent to be distributed on a per capita basis as set out in the most recent population figures for unincorporated and incorporated areas only within that county, as determined by the office of financial management, solely for parks, as follows: To any metropolitan park district, to cities and towns not contained within a metropolitan park district, and the remainder to the county. Moneys received under this subsection (6)(b) by a county may not be used to replace or supplant existing per capita funding.

(7) Funds (~~(shall)~~) must be distributed annually by the county treasurer to the county, and cities and towns located within the county, in the manner set out in subsection (6)(b) of this section.

(8) Prior to expenditure of any funds received by the county under subsection (6)(b) of this section, the county (~~(shall)~~) must establish a process which considers needs throughout the unincorporated areas of the county in consultation with community advisory councils established by ordinance.

(9) By December 31, 2005, and thereafter, the county or any city with a population greater than eighty thousand must provide at least one dollar match for every two dollars received under this section.

(10) Properties subject to a memorandum of agreement between the federal bureau of land management, the advisory council on historic preservation, and the Washington state historic preservation officer have priority for funding from money received under subsection (6)(b) of this section for implementation of the stipulations in the memorandum of agreement.

(a) At least one hundred thousand dollars of the first four years of allocations under subsection (6)(b) of this section, to be matched by the county or city with one dollar for every two dollars received, (~~(shall)~~) must be used to implement the stipulations of the memorandum of agreement and for other historical, archaeological, architectural, and cultural preservation and improvements related to the properties.

(b) The amount in (a) of this subsection (~~(shall)~~) must come equally from the allocations to the county and to the city in which the properties are located, unless otherwise agreed to by the county and the city.

(c) The amount in (a) of this subsection (~~(shall)~~) may not be construed to displace or be offered in lieu of any lease payment from a county or city to the state for the properties in question.

Sec. 26. RCW 82.14.457 and 2017 c 323 s 527 are each amended to read as follows:

(1) A business or other organization that is entitled under RCW (~~(82.12.02088)~~) 82.12.0208(7) to apportion the amount of state use tax on the use of digital goods, digital codes, digital automated services, prewritten computer software, or services defined as a retail sale in RCW 82.04.050(6)(c) is also entitled to apportion the amount of local use taxes imposed under the authority of this chapter and RCW 81.104.170 on the use of such products or services.

(2) To ensure that the tax base for state and local use taxes is identical, the measure of local use taxes apportioned under this section must be the same as the measure of state use tax apportioned under RCW (~~(82.12.02088)~~) 82.12.0208(7).

(3) This section does not affect the sourcing of local use taxes.

Sec. 27. RCW 82.16.0497 and 2006 c 213 s 1 are each amended to read as follows:

(1) (~~(Unless the context clearly requires otherwise,)~~) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Base credit" means the maximum amount of credit against the tax imposed by this chapter that each light and power business or gas distribution business may take each fiscal year as calculated by the department. The base credit is equal to the proportionate share that the total grants received by each light and power business or gas distribution business in the prior fiscal year bears to the total grants received by all light and power businesses and gas distribution businesses in the prior fiscal year multiplied by five million five hundred thousand dollars for fiscal year 2007, and two million five hundred thousand dollars for all other fiscal years before and after fiscal year 2007.

(b) "Billing discount" means a reduction in the amount charged for providing service to qualifying persons in Washington made by a light and power business or a gas distribution business. Billing discount does not include grants received by the light and power business or a gas distribution business.

(c) "Grant" means funds provided to a light and power business or gas distribution business by the department of (~~(community, trade, and economic development)~~) commerce or by a qualifying organization.

(d) "Low-income home energy assistance program" means energy assistance programs for low-income households as defined on December 31, 2000, in the low-income home energy assistance act of 1981 as amended August 1, 1999, 42 U.S.C. Sec. 8623 et seq.

(e) "Qualifying person" means a Washington resident who applies for assistance and qualifies for a grant regardless of whether that person receives a grant.

(f) "Qualifying contribution" means money given by a light and power business or a gas distribution business to a qualifying organization, exclusive of money received in the prior fiscal year from its customers for the purpose of assisting other customers.

(g) "Qualifying organization" means an entity that has a contractual agreement with the department of (~~(community, trade, and economic development)~~) commerce to administer in a specified service area low-income home energy assistance funds received from the federal government and such other funds that may be received by the entity.

(2) Subject to the limitations in this section, a light and power business or a gas distribution business may take a credit each fiscal year against the tax imposed under this chapter.

(a)(i) A credit may be taken for qualifying contributions if the dollar amount of qualifying contributions for the fiscal year in

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

which the tax credit is taken is greater than one hundred twenty-five percent of the dollar amount of qualifying contributions given in fiscal year 2000.

(i) If no qualifying contributions were given in fiscal year 2000, a credit ~~((shall be))~~ is allowed for the first fiscal year that qualifying contributions are given. Thereafter, credit ~~((shall be))~~ is allowed if the qualifying contributions given exceed one hundred twenty-five percent of qualifying contributions given in the first fiscal year.

(iii) The amount of credit ~~((shall be))~~ is fifty percent of the dollar amount of qualifying contributions given in the fiscal year in which the tax credit is taken.

(b)(i) A credit may be taken for billing discounts if the dollar amount of billing discounts for the fiscal year in which the tax credit is taken is greater than one hundred twenty-five percent of the dollar amount of billing discounts given in fiscal year 2000.

(ii) If no billing discounts were given in fiscal year 2000, a credit ~~((shall be))~~ is allowed in the first fiscal year that billing discounts are given. Thereafter, credit ~~((shall be))~~ is allowed if the dollar amount of billing discounts given exceeds one hundred twenty-five percent of billing discounts given in the first fiscal year.

(iii) The amount of credit ~~((shall be))~~ is fifty percent of the dollar amount of the billing discounts given in the fiscal year in which the tax credit is taken.

(c) The total amount of credit that may be taken for qualifying contributions and billing discounts in a fiscal year is limited to the base credit for the same fiscal year.

(3)(a)(i) Except as provided in (a)(ii) of this subsection, the total amount of credit, statewide, that may be taken in any fiscal year ~~((shall))~~ may not exceed two million five hundred thousand dollars.

(ii) The total amount of credit, statewide, that may be taken in fiscal year 2007 ~~((shall))~~ may not exceed five million five hundred thousand dollars.

(b) By May 1st of each year starting in 2002, the department of ~~((community, trade, and economic development shall))~~ commerce must notify the department of revenue in writing of the grants received in the current fiscal year by each light and power business and gas distribution business.

(4)(a) Not later than June 1st of each year beginning in 2002, the department ~~((shall))~~ must publish the base credit for each light and power business and gas distribution business for the next fiscal year.

(b) Not later than July 1st of each year beginning in 2002, application for credit must ~~((by))~~ be made to the department including but not limited to the following information: Billing discounts given by the applicant in fiscal year 2000; qualifying contributions given by the applicant in the prior fiscal year; the amount of money received in the prior fiscal year from customers for the purpose of assisting other customers; the base credit for the next fiscal year for the applicant; the qualifying contributions anticipated to be given in the next fiscal year; and billing discounts anticipated to be given in the next fiscal year. No credit under this section will be allowed to a light and power business or gas distribution business that does not file the application by July 1st.

(c) Not later than August 1st of each year beginning in 2002, the department ~~((shall))~~ must notify each applicant of the amount of credit that may be taken in that fiscal year.

(d) The balance of base credits not used by other light and power businesses and gas distribution businesses ~~((shall))~~ must be ratably distributed to applicants under the formula in subsection (1)(a) of this section. The total amount of credit that

may be taken by an applicant is the base credit plus any ratable portion of unused base credit.

(5) The credit taken under this section is limited to the amount of tax imposed under this chapter for the fiscal year. The credit must be claimed in the fiscal year in which the billing reduction is made. Any unused credit expires. Refunds ~~((shall))~~ may not be given in place of credits.

(6) No credit may be taken for billing discounts made before July 1, 2001. Within two weeks of May 8, 2001, the department of ~~((community, trade, and economic development shall))~~ commerce must notify the department of revenue in writing of the grants received in fiscal year 2001 by each light and power business and gas distribution business. Within four weeks of May 8, 2001, the department of revenue ~~((shall))~~ must publish the base credit for each light and power business and gas distribution business for fiscal year 2002. Within eight weeks of May 8, 2001, application to the department must be made showing the information required in subsection (4)(b) of this section. Within twelve weeks of May 8, 2001, the department ~~((shall))~~ must notify each applicant of the amount of credit that may be taken in fiscal year 2002.

Sec. 28. RCW 82.16.055 and 1980 c 149 s 3 are each amended to read as follows:

(1) In computing tax under this chapter there ~~((shall))~~ must be deducted from the gross income:

(a) An amount equal to the cost of production at the plant for consumption within the state of Washington of:

(i) Electrical energy produced or generated from cogeneration as defined in RCW 82.35.020, as existing on June 30, 2006; and

(ii) Electrical energy or gas produced or generated from renewable energy resources such as solar energy, wind energy, hydroelectric energy, geothermal energy, wood, wood wastes, municipal wastes, agricultural products and wastes, and end-use waste heat; and

(b) Those amounts expended to improve consumers' efficiency of energy end use or to otherwise reduce the use of electrical energy or gas by the consumer.

(2) This section applies only to new facilities for the production or generation of energy from cogeneration or renewable energy resources or measures to improve the efficiency of energy end use on which construction or installation is begun after June 12, 1980, and before January 1, 1990.

(3) Deductions under subsection (1)(a) of this section ~~((shall))~~ must be allowed for a period not to exceed thirty years after the project is placed in operation.

(4) Measures or projects encouraged under this section ~~((shall))~~ must at the time they are placed in service be reasonably expected to save, produce, or generate energy at a total incremental system cost per unit of energy delivered to end use which is less than or equal to the incremental system cost per unit of energy delivered to end use from similarly available conventional energy resources which utilize nuclear energy or fossil fuels and which the gas or electric utility could acquire to meet energy demand in the same time period.

(5) The department of revenue, after consultation with the utilities and transportation commission in the case of investor-owned utilities and the governing bodies of locally regulated utilities, ~~((shall))~~ must determine the eligibility of individual projects and measures for deductions under this section.

Sec. 29. RCW 82.23A.010 and 2012 1st sp.s. c 3 s 4 are each amended to read as follows:

~~((Unless the context clearly requires otherwise,))~~ The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Petroleum product" means plant condensate, lubricating oil, gasoline, aviation fuel, kerosene, diesel motor fuel, benzol, fuel oil, residual oil, and every other product derived from the refining of crude oil, but the term does not include crude oil or liquefiable gases.

(2) "Possession" means the control of a petroleum product located within this state and includes both actual and constructive possession. "Actual possession" occurs when the person with control has physical possession. "Constructive possession" occurs when the person with control does not have physical possession. "Control" means the power to sell or use a petroleum product or to authorize the sale or use by another.

(3) "Previously taxed petroleum product" means a petroleum product in respect to which a tax has been paid under this chapter and that has not been remanufactured or reprocessed in any manner (other than mere repackaging or recycling for beneficial reuse) since the tax was paid.

(4) "Rack" means a mechanism for delivering petroleum products from a refinery or terminal into a truck, trailer, railcar, or other means of nonbulk transfer. For the purposes of this definition:

(a) "Terminal" has the same ~~(definition as in RCW 82.36.010 and)~~ meaning as provided in RCW 82.38.020; and

(b) "Nonbulk transfer" means a transfer that does not meet the definition of "bulk transfer" as defined in RCW ~~((82.36.010 and))~~ 82.38.020.

(5) "Wholesale value" means fair market wholesale value, determined as nearly as possible according to the wholesale selling price at the place of use of similar products of like quality and character, in accordance with rules of the department.

(6) Except for terms defined in this section, the definitions in chapters 82.04, 82.08, and 82.12 RCW apply to this chapter.

Sec. 30. RCW 82.24.010 and 2012 2nd sp.s. c 4 s 1 are each amended to read as follows:

~~((Unless the context clearly requires otherwise,))~~ The definitions in this section apply throughout this chapter(=) unless the context clearly requires otherwise.

(1) "Board" means the liquor ~~((control))~~ and cannabis board.

(2) "Cigarette" means any roll for smoking made wholly or in part of tobacco, irrespective of size or shape and irrespective of the tobacco being flavored, adulterated, or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any material, except where such wrapper is wholly or in the greater part made of natural leaf tobacco in its natural state. "Cigarette" includes a roll-your-own cigarette.

(3) "Cigarette paper" means any paper or any other material except tobacco, prepared for use as a cigarette wrapper.

(4) "Cigarette tube" means cigarette paper made into a hollow cylinder for use in making cigarettes.

(5) "Commercial cigarette-making machine" means a machine that is operated in a retail establishment and that is capable of being loaded with loose tobacco, cigarette paper or tubes, and any other components related to the production of roll-your-own cigarettes, including filters.

(6) "Indian tribal organization" means a federally recognized Indian tribe, or tribal entity, and includes an Indian wholesaler or retailer that is owned by an Indian who is an enrolled tribal member conducting business under tribal license or similar tribal approval within Indian country. For purposes of this chapter "Indian country" is defined in the manner set forth in 18 U.S.C. Sec. 1151.

(7) "Precollection obligation" means the obligation of a seller otherwise exempt from the tax imposed by this chapter to collect the tax from that seller's buyer.

(8) "Retailer" means every person, other than a wholesaler, who purchases, sells, offers for sale or distributes any one or more

of the articles taxed herein, irrespective of quantity or amount, or the number of sales, and all persons operating under a retailer's registration certificate.

(9) "Retail selling price" means the ordinary, customary or usual price paid by the consumer for each package of cigarettes, less the tax levied by this chapter and less any similar tax levied by this state.

(10) "Roll-your-own cigarettes" means cigarettes produced by a commercial cigarette-making machine.

(11) "Stamp" means the stamp or stamps by use of which the tax levy under this chapter is paid or identification is made of those cigarettes with respect to which no tax is imposed.

(12) "Wholesaler" means every person who purchases, sells, or distributes any one or more of the articles taxed herein to retailers for the purpose of resale only.

(13) The meaning attributed, in chapter 82.04 RCW, to the words "person," "sale," "business" and "successor" applies equally in this chapter.

Sec. 31. RCW 82.24.551 and 1997 c 420 s 10 are each amended to read as follows:

The department ~~((shall))~~ must appoint, as duly authorized agents, enforcement officers of the liquor ~~((control))~~ and cannabis board to enforce provisions of this chapter. These officers ~~((shall))~~ are not (be) considered employees of the department.

Sec. 32. RCW 82.26.010 and 2010 1st sp.s. c 22 s 4 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) "Actual price" means the total amount of consideration for which tobacco products are sold, valued in money, whether received in money or otherwise, including any charges by the seller necessary to complete the sale such as charges for delivery, freight, transportation, or handling.

(2) "Affiliated" means related in any way by virtue of any form or amount of common ownership, control, operation, or management.

(3) "Board" means the liquor ~~((control))~~ and cannabis board.

(4) "Business" means any trade, occupation, activity, or enterprise engaged in for the purpose of selling or distributing tobacco products in this state.

(5) "Cigar" means a roll for smoking that is of any size or shape and that is made wholly or in part of tobacco, irrespective of whether the tobacco is pure or flavored, adulterated or mixed with any other ingredient, if the roll has a wrapper made wholly or in greater part of tobacco. "Cigar" does not include a cigarette.

(6) "Cigarette" has the same meaning as in RCW 82.24.010.

(7) "Department" means the department of revenue.

(8) "Distributor" means (a) any person engaged in the business of selling tobacco products in this state who brings, or causes to be brought, into this state from without the state any tobacco products for sale, (b) any person who makes, manufactures, fabricates, or stores tobacco products in this state for sale in this state, (c) any person engaged in the business of selling tobacco products without this state who ships or transports tobacco products to retailers in this state, to be sold by those retailers, (d) any person engaged in the business of selling tobacco products in this state who handles for sale any tobacco products that are within this state but upon which tax has not been imposed.

(9) "Indian country" means the same as defined in chapter 82.24 RCW.

(10) "Little cigar" means a cigar that has a cellulose acetate integrated filter.

(11) "Manufacturer" means a person who manufactures and sells tobacco products.

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

(12) "Manufacturer's representative" means a person hired by a manufacturer to sell or distribute the manufacturer's tobacco products, and includes employees and independent contractors.

(13) "Moist snuff" means tobacco that is finely cut, ground, or powdered; is not for smoking; and is intended to be placed in the oral, but not the nasal, cavity.

(14) "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. The term excludes any person immune from state taxation, including the United States or its instrumentalities, and federally recognized Indian tribes and enrolled tribal members, conducting business within Indian country.

(15) "Place of business" means any place where tobacco products are sold or where tobacco products are manufactured, stored, or kept for the purpose of sale, including any vessel, vehicle, airplane, train, or vending machine.

(16) "Retail outlet" means each place of business from which tobacco products are sold to consumers.

(17) "Retailer" means any person engaged in the business of selling tobacco products to ultimate consumers.

(18)(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 tobacco products, for advertising, promoting, or as a means of evading the provisions of this chapter.

(19)(a) "Taxable sales price" means:

(i) In the case of a taxpayer that is not affiliated with the manufacturer, distributor, or other person from whom the taxpayer purchased tobacco products, the actual price for which the taxpayer purchased the tobacco products;

(ii) In the case of a taxpayer that purchases tobacco products from an affiliated manufacturer, affiliated distributor, or other affiliated person, and that sells those tobacco products to unaffiliated distributors, unaffiliated retailers, or ultimate consumers, the actual price for which that taxpayer sells those tobacco products to unaffiliated distributors, unaffiliated retailers, or ultimate consumers;

(iii) In the case of a taxpayer that sells tobacco products only to affiliated distributors or affiliated retailers, the price, determined as nearly as possible according to the actual price, that other distributors sell similar tobacco products of like quality and character to unaffiliated distributors, unaffiliated retailers, or ultimate consumers;

(iv) In the case of a taxpayer that is a manufacturer selling tobacco products directly to ultimate consumers, the actual price for which the taxpayer sells those tobacco products to ultimate consumers;

(v) In the case of a taxpayer that has acquired tobacco products under a sale as defined in subsection (18)(b) of this section, the price, determined as nearly as possible according to the actual price, that the taxpayer or other distributors sell the same tobacco products or similar tobacco products of like quality and character to unaffiliated distributors, unaffiliated retailers, or ultimate consumers; or

(vi) In any case where (a)(i) through (v) of this subsection do not apply, the price, determined as nearly as possible according to the actual price, that the taxpayer or other distributors sell the same tobacco products or similar tobacco products of like quality

and character to unaffiliated distributors, unaffiliated retailers, or ultimate consumers.

(b) For purposes of (a)(i) and (ii) of this subsection only, "person" includes both persons as defined in subsection (14) of this section and any person immune from state taxation, including the United States or its instrumentalities, and federally recognized Indian tribes and enrolled tribal members, conducting business within Indian country.

(c) The department may adopt rules regarding the determination of taxable sales price under this subsection.

(20) "Taxpayer" means a person liable for the tax imposed by this chapter.

(21) "Tobacco products" means cigars, cheroots, stogies, periques, granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco, snuff, snuff flour, cavendish, plug and twist tobacco, fine-cut and other chewing tobaccos, shorts, refuse scraps, clippings, cuttings and sweepings of tobacco, and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking, and any other product, regardless of form, that contains tobacco and is intended for human consumption or placement in the oral or nasal cavity or absorption into the human body by any other means, but does not include cigarettes as defined in RCW 82.24.010.

(22) "Unaffiliated distributor" means a distributor that is not affiliated with the manufacturer, distributor, or other person from whom the distributor has purchased tobacco products.

(23) "Unaffiliated retailer" means a retailer that is not affiliated with the manufacturer, distributor, or other person from whom the retailer has purchased tobacco products.

Sec. 33. RCW 82.26.121 and 1997 c 420 s 11 are each amended to read as follows:

The department (~~shall~~) must appoint, as duly authorized agents, enforcement officers of the liquor (~~control~~) and cannabis board to enforce provisions of this chapter. These officers (~~shall~~) are not (~~be~~) considered employees of the department.

Sec. 34. RCW 82.26.130 and 2002 c 325 s 5 are each amended to read as follows:

(1) The department (~~shall~~) must by rule establish the invoice detail required under RCW 82.26.060 for a distributor under RCW 82.26.010(~~(3)~~) (8)(d) and for those invoices required to be provided to retailers under RCW 82.26.070.

(2) If a retailer fails to keep invoices as required under chapter 82.32 RCW, the retailer is liable for the tax owed on any uninvoiced tobacco products but not penalties and interest, except as provided in subsection (3) of this section.

(3) If the department finds that the nonpayment of tax by the retailer was willful or if in the case of a second or plural nonpayment of tax by the retailer, penalties and interest (~~shall~~) must be assessed in accordance with chapter 82.32 RCW.

Sec. 35. RCW 82.26.190 and 2009 c 154 s 6 are each amended to read as follows:

(1)(a) No person may engage in or conduct business as a distributor or retailer in this state after September 30, 2005, without a valid license issued under this chapter. Any person who sells tobacco products to persons other than ultimate consumers or who meets the definition of distributor under RCW 82.26.010(~~(3)~~) (8)(d) must obtain a distributor's license under this chapter. Any person who sells tobacco products to ultimate consumers must obtain a retailer's license under this chapter.

(b) A violation of this subsection (1) is punishable as a class C felony according to chapter 9A.20 RCW.

(2)(a) No person engaged in or conducting business as a distributor or retailer in this state may:

(i) Refuse to allow the department or the board, on demand, to make a full inspection of any place of business where any of the tobacco products taxed under this chapter are sold, stored, or handled, or otherwise hinder or prevent such inspection;

(ii) Make, use, or present or exhibit to the department or the board any invoice for any of the tobacco products taxed under this chapter that bears an untrue date or falsely states the nature or quantity of the goods invoiced; or

(iii) Fail to produce on demand of the department or the board all invoices of all the tobacco products taxed under this chapter within five years prior to such demand unless the person can show by satisfactory proof that the nonproduction of the invoices was due to causes beyond the person's control.

(b) No person, other than a licensed distributor or retailer, may transport tobacco products for sale in this state for which the taxes imposed under this chapter have not been paid unless:

(i) Notice of the transportation has been given as required under RCW 82.26.140;

(ii) The person transporting the tobacco products actually possesses invoices or delivery tickets showing the true name and address of the consignor or seller, the true name and address of the consignee or purchaser, and the quantity and brands of tobacco products being transported; and

(iii) The tobacco products are consigned to or purchased by a person in this state who is licensed under this chapter.

(c) A violation of this subsection (2) is a gross misdemeanor.

(3) Any person licensed under this chapter as a distributor, and any person licensed under this chapter as a retailer, ~~((shall))~~ may not operate in any other capacity unless the additional appropriate license is first secured. A violation of this subsection (3) is a misdemeanor.

(4) 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.

Sec. 36. RCW 82.26.200 and 2005 c 180 s 17 are each amended to read as follows:

(1) A retailer that obtains tobacco products from an unlicensed distributor or any other person that is not licensed under this chapter must be licensed both as a retailer and a distributor under this chapter and is liable for the tax imposed under RCW 82.26.020 with respect to the tobacco products acquired from the unlicensed person that are held for sale, handling, or distribution in this state. For the purposes of this subsection, "person" includes both persons defined in RCW 82.26.010~~((40))~~ (14) and any person immune from state taxation, such as the United States or its instrumentalities, and federally recognized Indian tribes and enrolled tribal members, conducting business within Indian country.

(2) Every distributor licensed under this chapter ~~((shall))~~ must sell tobacco products to retailers located in Washington only if the retailer has a current retailer's license under this chapter.

Sec. 37. RCW 82.29A.060 and 1994 c 95 s 1 are each amended to read as follows:

(1) All administrative provisions in chapters 82.02 and 82.32 RCW ~~((shall be))~~ are applicable to taxes imposed pursuant to this chapter.

(2)(a) A lessee, or a sublessee in the case where the sublessee is responsible for paying the tax imposed under this chapter, of property used for residential purposes may petition the county board of equalization for a change in appraised value when the department of revenue establishes taxable rent under RCW 82.29A.020(2)~~((b))~~ (g) based on an appraisal done by the county assessor at the request of the department. The petition must be on forms prescribed or approved by the department of revenue and any petition not conforming to those requirements or not properly completed ~~((shall))~~ may not be considered by the board. The

petition must be filed with the board within the time period set forth in RCW 84.40.038. A decision of the board of equalization may be appealed by the taxpayer to the board of tax appeals as provided in RCW 84.08.130.

(b) A sublessee, in the case where the sublessee is responsible for paying the tax imposed under this chapter, of property used for residential purposes may petition the department for a change in taxable rent when the department of revenue establishes taxable rent under RCW 82.29A.020(2)~~((b))~~ (g).

(c) Any change in tax resulting from an appeal under this subsection ~~((shall))~~ must be allocated to the lessee or sublessee responsible for paying the tax.

(3) This section ~~((shall))~~ does not authorize the issuance of any levy upon any property owned by the public lessor.

(4) In selecting leasehold excise tax returns for audit the department of revenue ~~((shall))~~ must give priority to any return an audit of which is specifically requested in writing by the county assessor or treasurer or other chief financial officer of any city or county affected by such return. Notwithstanding the provisions of RCW 82.32.330, findings of fact and determinations of the amount of taxable rent made pursuant to the provisions of this chapter ~~((shall))~~ must be open to public inspection at all reasonable times.

Sec. 38. RCW 82.29A.120 and 2017 3rd sp.s. c 37 s 1302 are each amended to read as follows:

(1)(a) After computation of the taxes imposed pursuant to RCW 82.29A.030 and 82.29A.040, the following credits are allowed in determining the tax payable:

(i) For lessees and sublessees who would qualify for a property tax exemption under RCW 84.36.381 if the property were privately owned, the tax otherwise due after this credit must be reduced by a percentage equal to the percentage reduction in property tax that would result from the property tax exemption under RCW 84.36.381; and

(ii) A credit of thirty-three percent of the tax otherwise due is allowed with respect to a product lease.

(b)(i) For a leasehold interest in real property owned by a state university, a credit is allowed equal to the amount that the tax under this chapter exceeds the property tax that would apply if the real property were privately owned by the taxpayer.

(ii) The credit under this subsection (1)(b) is available only if the tax parcel that is subject to the leasehold interest has a market value in excess of ten million dollars. If the leasehold interest attaches to two or more parcels, the credit is available if at least one of the tax parcels has a market value in excess of ten million dollars. In either case, the market value must be determined as of January 1st of the year prior to the year for which the credit is claimed.

(iii) For purposes of calculating the credit under this subsection (1)(b):

(A) If a tax parcel does not have current assessed value in accordance with RCW 84.40.020, a market value appraisal performed by a Washington state-certified general real estate appraiser, as defined in RCW 18.140.010, is sufficient to establish the market value. If the underlying real property that is the subject of the leasehold interest consists of a part of one or more tax parcels, this appraisal must include the market value of the part of the parcel or parcels to which the leasehold interest applies; and

(B) The property tax that would otherwise apply to the real property that is the subject of the leasehold interest is calculated using the existing consolidated levy rate for the property's tax code area.

(iv) The definitions in this subsection apply throughout this subsection (1)(b) unless the context clearly requires otherwise.

(A) "Market value" means the true and fair value of the property as that term is used in RCW 84.40.030, based on the

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

property's highest and best use and determined by any reasonable means approved by the department.

(B) "Real property" has the same meaning as in RCW 84.04.090 and also includes all improvements upon the land the fee of which is still vested in the public owner.

(C) "State university" has the same meaning as "state universities" as provided in RCW 28B.10.016.

(v) The credit provided under this subsection (1)(b) may not be claimed for tax reporting periods beginning on or after January 1, 2032.

(2) ~~((This section expires))~~ No credit under subsection (1)(b) of this section may be claimed or approved on or after January 1, 2032.

Sec. 39. RCW 82.32.062 and 2002 c 57 s 1 are each amended to read as follows:

(1) In addition to the procedure set forth in RCW 82.32.060 and as an exception to the four-year period explicitly set forth in RCW 82.32.060, an offset for a tax that has been paid in excess of that properly due may be taken under the following conditions:

~~((+))~~ (a) The tax paid in excess of that properly due was sales tax paid on the purchase of property acquired for leasing; (2)) or use tax paid on property purchased for the purpose of leasing;

(b) The taxpayer was at the time of purchase entitled to purchase the property at wholesale under RCW 82.04.060; and

~~((+))~~ (c) The taxpayer substantiates that (sales tax was paid at the time of purchase) the taxpayer paid sales or use tax on the purchase of the property and that there was no intervening use of the (equipment) property by the taxpayer.

(2) The offset under this section is applied to and reduced by the amount of retail sales tax otherwise due from the beginning of lease of the property until the offset is extinguished.

Sec. 40. RCW 82.32.300 and 2019 c 445 s 209 are each amended to read as follows:

(1) ~~The (administration of this and chapters 82.04 through 82.27 RCW of this title is vested in the department, which must)) department must administer this chapter and such other provisions of the Revised Code of Washington as specifically provided by law. To that end, the department may~~ prescribe forms and rules of procedure for the determination of the taxable status of any person, for the making of returns and for the ascertainment, assessment, and collection of taxes and penalties imposed thereunder.

(2)(a) The department ~~((must))~~ may make and publish rules ~~((and regulations)), not inconsistent therewith, necessary to enforce provisions of this chapter ((and chapters 82.02 through 82.23B and 82.27 RCW, and the liquor and cannabis board must)) and such other provisions of the Revised Code of Washington that the department is empowered by law to enforce. The liquor and cannabis board may~~ make and publish rules necessary to enforce chapters 82.24, 82.26, and 82.25 RCW ~~((which has)).~~

(b) Rules adopted by the department or liquor and cannabis board under the authority of this subsection have the same force and effect as if specifically included ((therein)) in law, unless declared invalid by the judgment of a court of record not appealed from.

(3) The department may employ such clerks, specialists, and other assistants as are necessary. Salaries and compensation of such employees must be fixed by the department and charged to the proper appropriation for the department.

(4) The department must exercise general supervision of the collection of taxes and, in the discharge of such duty, may institute and prosecute such suits or proceedings in the courts as may be necessary and proper.

Sec. 41. RCW 82.32.780 and 2010 c 112 s 2 are each amended to read as follows:

(1)(a) Taxpayers seeking to obtain a new reseller permit or to renew or reinstate a reseller permit, other than taxpayers subject to the provisions of RCW 82.32.783, must apply to the department in a form and manner prescribed by the department. The department must use its best efforts to rule on applications within sixty days of receiving a complete application. If the department fails to rule on an application within sixty days of receiving a complete application, the taxpayer may either request a review as provided in subsection (6) of this section or resubmit the application. Nothing in this subsection may be construed as preventing the department from ruling on an application more than sixty days after the department received the application.

(b) An application must be denied if:

(i) The department determines that, based on the nature of the applicant's business, the applicant is not entitled to make purchases at wholesale or is otherwise prohibited from using a reseller permit;

(ii) The application contains any material misstatement; or

(iii) The application is incomplete.

(c) The department may also deny an application if it determines that denial would be in the best interest of collecting taxes due under this title.

(d) The department's decision to approve or deny an application may be based on tax returns previously filed with the department by the applicant, a current or previous examination of the applicant's books and records by the department, information provided by the applicant in the master application and the reseller permit application, and other information available to the department.

(e) The department must refuse to accept an application to renew a reseller permit that is received more than ninety days before the expiration of the reseller permit.

(2) Notwithstanding subsection (1) of this section, the department may issue or renew a reseller permit for a taxpayer that has not applied for the permit or renewal of the permit if it appears to the department's satisfaction, based on the nature of the taxpayer's business activities and any other information available to the department, that the taxpayer is entitled to make purchases at wholesale.

(3)(a) Except as otherwise provided in this section, reseller permits issued, renewed, or reinstated under this section will be valid for a period of forty-eight months from the date of issuance, renewal, or reinstatement.

(b)(i) A reseller permit is valid for a period of twenty-four months and may be renewed for the period prescribed in (a) of this subsection (3) if the permit is issued to a taxpayer who:

(A) Is not registered with the department under RCW 82.32.030;

(B) Has been registered with the department under RCW 82.32.030 for a continuous period of less than one year as of the date that the department received the taxpayer's application for a reseller permit;

(C) Was on nonreporting status as authorized under RCW 82.32.045 ~~((+))~~ (5) at the time that the department received the taxpayer's application for a reseller permit or to renew or reinstate a reseller permit;

(D) Has filed tax returns reporting no business activity for purposes of sales and business and occupation taxes for the twelve-month period immediately preceding the date that the department received the taxpayer's application for a reseller permit or to renew or reinstate a reseller permit; or

(E) Has failed to file tax returns covering any part of the twelve-month period immediately preceding the department's receipt of the taxpayer's application for a reseller permit or to renew or reinstate a reseller permit.

(ii) The provisions of this subsection (3)(b) do not apply to reseller permits issued to any business owned by a federally recognized Indian tribe or by an enrolled member of a federally recognized Indian tribe, if the business does not engage in any business activity that subjects the business to any tax imposed by the state under chapter 82.04 RCW. Permits issued to such businesses are valid for the period provided in (a) of this subsection (3).

(iii) Nothing in this subsection (3)(b) may be construed as affecting the department's right to deny a taxpayer's application for a reseller permit or to renew or reinstate a reseller permit as provided in subsection (1)(b) and (c) of this section.

(c) A reseller permit is no longer valid if the permit holder's certificate of registration is revoked, the permit holder's tax reporting account is closed by the department, or the permit holder otherwise ceases to engage in business.

(d) The department may provide by rule for a uniform expiration date for reseller permits issued, renewed, or reinstated under this section, if the department determines that a uniform expiration date for reseller permits will improve administrative efficiency for the department. If the department adopts a uniform expiration date by rule, the department may extend or shorten the twenty-four or forty-eight month period provided in (a) and (b) of this subsection for a period not to exceed six months as necessary to conform the reseller permit to the uniform expiration date.

(4)(a) The department may revoke a taxpayer's reseller permit for any of the following reasons:

(i) The taxpayer used or allowed or caused its reseller permit to be used to purchase any item or service without payment of sales tax, but the taxpayer or other purchaser was not entitled to use the reseller permit for the purchase;

(ii) The department issued the reseller permit to the taxpayer in error;

(iii) The department determines that the taxpayer is no longer entitled to make purchases at wholesale; or

(iv) The department determines that revocation of the reseller permit would be in the best interest of collecting taxes due under this title.

(b) The notice of revocation must be in writing and is effective on the date specified in the revocation notice. The notice must also advise the taxpayer of its right to a review by the department.

(c) The department may refuse to reinstate a reseller permit revoked under (a)(i) of this subsection until all taxes, penalties, and interest due on any improperly purchased item or service have been paid in full. In the event a taxpayer whose reseller permit has been revoked under this subsection reorganizes, the new business resulting from the reorganization is not entitled to a reseller permit until all taxes, penalties, and interest due on any improperly purchased item or service have been paid in full.

(d) For purposes of this subsection, "reorganize" or "reorganization" means: (i) The transfer, however effected, of a majority of the assets of one business to another business where any of the persons having an interest in the ownership or management in the former business maintain an ownership or management interest in the new business, either directly or indirectly; (ii) a mere change in identity or form of ownership, however effected; or (iii) the new business is a mere continuation of the former business based on significant shared features such as owners, personnel, assets, or general business activity.

(5) The department may provide the public with access to reseller permit numbers on its web site, including the name of the permit holder, the status of the reseller permit, the expiration date of the permit, and any other information that is disclosable under RCW 82.32.330(3)((+)) (k).

(6) The department must provide by rule for the review of the department's decision to deny, revoke, or refuse to reinstate a

reseller permit or the department's failure to rule on an application within the time prescribed in subsection (1)(a) of this section. Such review must be consistent with the requirements of chapter 34.05 RCW.

(7) As part of its continuing efforts to educate taxpayers on their sales and use tax responsibilities, the department will educate taxpayers on the appropriate use of a reseller permit or other documentation authorized under RCW 82.04.470 and the consequences of misusing such permits or other documentation.

Sec. 42. RCW 82.60.025 and 2010 1st sp.s. c 16 s 4 are each amended to read as follows:

The lessor or owner of a qualified building is not eligible for a deferral unless:

(1) The underlying ownership of the buildings, machinery, and equipment vests exclusively in the same person; or

(2)(a) The lessor by written contract agrees to pass the economic benefit of the deferral to the lessee;

(b) The lessee that receives the economic benefit of the deferral agrees in writing with the department to complete the annual ~~(survey)~~ tax performance report required under RCW 82.60.070; and

(c) The economic benefit of the deferral passed to the lessee is no less than the amount of tax deferred by the lessor and is evidenced by written documentation of any type of payment, credit, or other financial arrangement between the lessor or owner of the qualified building and the lessee.

Sec. 43. RCW 82.60.063 and 2010 1st sp.s. c 16 s 10 are each amended to read as follows:

(1) Subject to the conditions in this section, a person is not liable for the amount of deferred taxes outstanding for an investment project when the person temporarily ceases to use its qualified buildings and qualified machinery and equipment for manufacturing or research and development activities in a county with a population of less than twenty thousand persons for a period not to exceed twenty-four months from the date that the department sent its assessment for the amount of outstanding deferred taxes to the taxpayer.

(2) The relief from repayment of deferred taxes under this section does not apply unless the number of qualified employment positions maintained at the investment project after manufacturing or research and development activities are temporarily ceased is at least ten percent of the number of qualified employment positions employed at the investment project at the time the deferral was approved by the department. If a person has been approved for more than one deferral under this chapter, relief from repayment of deferred taxes under this section does not apply unless the number of qualified employment positions maintained at the investment project after manufacturing or research and development activities are temporarily ceased is at least ten percent of the highest number of qualified employment positions at the investment project at the time any of the deferrals were approved by the department. If, at any time during the twenty-four month period after the department has sent the taxpayer an assessment for outstanding deferred taxes resulting from the person temporarily ceasing to use its qualified buildings and qualified machinery and equipment for manufacturing or research and development activities, the number of qualified employment positions falls below the ten percent threshold in this subsection, the amount of deferred taxes outstanding for the project is immediately due.

(3) The lessor of an investment project for which a deferral has been granted under this chapter who has passed the economic benefits of the deferral to the lessee is not eligible for relief from the payment of deferred taxes under this section.

(4) A person seeking relief from the payment of deferred taxes under this section must apply to the department in a form and

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

manner prescribed by the department. The application required under this subsection must be received by the department within thirty days of the date that the department sent its assessment for outstanding deferred taxes resulting from the person temporarily ceasing to use its qualified buildings and qualified machinery and equipment for manufacturing or research and development activities. The department must approve applications that meet the requirements in this section for relief from the payment of deferred taxes.

(5) A person is entitled to relief under this section only once.

(6) A person whose application for relief from the payment of deferred taxes has been approved under this section must continue to file an annual ~~((survey))~~ tax performance report as required under RCW 82.60.070(1) or any successor statute. In addition, the person must file, in a form and manner prescribed by the department, a report on the status of the business and the outlook for commencing manufacturing or research and development activities.

Sec. 44. RCW 82.63.010 and 2015 3rd sp.s. c 5 s 303 are each amended to read as follows:

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

(1) "Advanced computing" means technologies used in the designing and developing of computing hardware and software, including innovations in designing the full spectrum of hardware from handheld calculators to super computers, and peripheral equipment.

(2) "Advanced materials" means materials with engineered properties created through the development of specialized processing and synthesis technology, including ceramics, high value-added metals, electronic materials, composites, polymers, and biomaterials.

(3) "Applicant" means a person applying for a tax deferral under this chapter.

(4) "Biotechnology" means the application of technologies, such as recombinant DNA techniques, biochemistry, molecular and cellular biology, genetics and genetic engineering, cell fusion techniques, and new bioprocesses, using living organisms, or parts of organisms, to produce or modify products, to improve plants or animals, to develop microorganisms for specific uses, to identify targets for small molecule pharmaceutical development, or to transform biological systems into useful processes and products or to develop microorganisms for specific uses.

(5) "Department" means the department of revenue.

(6) "Electronic device technology" means technologies involving microelectronics; semiconductors; electronic equipment and instrumentation; radio frequency, microwave, and millimeter electronics; optical and optic-electrical devices; and data and digital communications and imaging devices.

(7) "Eligible investment project" means an investment project which either initiates a new operation, or expands or diversifies a current operation by expanding, renovating, or equipping an existing facility. The lessor or owner of the qualified building is not eligible for a deferral unless:

(a) The underlying ownership of the buildings, machinery, and equipment vests exclusively in the same person; or

(b)(i) The lessor by written contract agrees to pass the economic benefit of the deferral to the lessee;

(ii) The lessee that receives the economic benefit of the deferral agrees in writing with the department to complete the annual ~~((survey))~~ tax performance report required under RCW 82.63.020(2); and

(iii) The economic benefit of the deferral passed to the lessee is no less than the amount of tax deferred by the lessor and is evidenced by written documentation of any type of payment,

credit, or other financial arrangement between the lessor or owner of the qualified building and the lessee.

(8) "Environmental technology" means assessment and prevention of threats or damage to human health or the environment, environmental cleanup, and the development of alternative energy sources.

(9)(a) "Initiation of construction" means the date that a building permit is issued under the building code adopted under RCW 19.27.031 for:

(i) Construction of the qualified building, if the underlying ownership of the building vests exclusively with the person receiving the economic benefit of the deferral;

(ii) Construction of the qualified building, if the economic benefits of the deferral are passed to a lessee as provided in subsection (7) of this section; or

(iii) Tenant improvements for a qualified building, if the economic benefits of the deferral are passed to a lessee as provided in subsection (7) of this section.

(b) "Initiation of construction" does not include soil testing, site clearing and grading, site preparation, or any other related activities that are initiated before the issuance of a building permit for the construction of the foundation of the building.

(c) If the investment project is a phased project, "initiation of construction" ~~((shall apply))~~ applies separately to each phase.

(10) "Investment project" means an investment in qualified buildings or qualified machinery and equipment, including labor and services rendered in the planning, installation, and construction or improvement of the project.

(11) "Multiple qualified buildings" means qualified buildings leased to the same person when such structures: (a) Are located within a five-mile radius; and (b) the initiation of construction of each building begins within a sixty-month period.

(12) "Person" has the meaning given in RCW 82.04.030 and includes state universities as defined in RCW 28B.10.016.

(13) "Pilot scale manufacturing" means design, construction, and testing of preproduction prototypes and models in the fields of biotechnology, advanced computing, electronic device technology, advanced materials, and environmental technology other than for commercial sale. As used in this subsection, "commercial sale" excludes sales of prototypes or sales for market testing if the total gross receipts from such sales of the product, service, or process do not exceed one million dollars.

(14) "Qualified buildings" means construction of new structures, and expansion or renovation of existing structures for the purpose of increasing floor space or production capacity used for pilot scale manufacturing or qualified research and development, including plant offices and other facilities that are an essential or an integral part of a structure used for pilot scale manufacturing or qualified research and development. If a building or buildings are used partly for pilot scale manufacturing or qualified research and development, and partly for other purposes, the applicable tax deferral ~~((shall be))~~ is determined by apportionment of the costs of construction under rules adopted by the department. Such rules may include provisions for determining the amount of the deferral based on apportionment of costs of construction of an investment project consisting of a building or multiple buildings, where qualified research and development or pilot scale manufacturing activities are shifted within a building or from one building to another building.

(15)(a) "Qualified machinery and equipment" means fixtures, equipment, and support facilities that are an integral and necessary part of a pilot scale manufacturing or qualified research and development operation. "Qualified machinery and equipment" includes: Computers; software; data processing equipment; laboratory equipment, instrumentation, and other

devices used in a process of experimentation to develop a new or improved pilot model, plant process, product, formula, invention, or similar property; manufacturing components such as belts, pulleys, shafts, and moving parts; molds, tools, and dies; vats, tanks, and fermenters; operating structures; and all other equipment used to control, monitor, or operate the machinery. For purposes of this chapter, qualified machinery and equipment must be either new to the taxing jurisdiction of the state or new to the certificate holder, except that used machinery and equipment may be treated as qualified machinery and equipment if the certificate holder either brings the machinery and equipment into Washington or makes a retail purchase of the machinery and equipment in Washington or elsewhere.

(b) "Qualified machinery and equipment" does not include any fixtures, equipment, or support facilities, if the sale to or use by the recipient is not eligible for an exemption under RCW 82.08.02565 or 82.12.02565 solely because the recipient is an ineligible person as defined in RCW 82.08.02565.

(16) "Qualified research and development" means research and development performed within this state in the fields of advanced computing, advanced materials, biotechnology, electronic device technology, and environmental technology.

(17) "Recipient" means a person receiving a tax deferral under this chapter.

(18) "Research and development" means activities performed to discover technological information, and technical and nonroutine activities concerned with translating technological information into new or improved products, processes, techniques, formulas, inventions, or software. The term includes exploration of a new use for an existing drug, device, or biological product if the new use requires separate licensing by the federal food and drug administration under chapter 21, C.F.R., as amended. The term does not include adaptation or duplication of existing products where the products are not substantially improved by application of the technology, nor does the term include surveys and studies, social science and humanities research, market research or testing, quality control, sale promotion and service, computer software developed for internal use, and research in areas such as improved style, taste, and seasonal design.

Sec. 45. RCW 82.74.010 and 2006 c 354 s 6 are each amended to read as follows:

~~((Unless the context clearly requires otherwise,))~~ The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Applicant" means a person applying for a tax deferral under this chapter.

(2) "Cold storage warehouse" means a storage warehouse owned or operated by a wholesaler or third-party warehouse as those terms are defined in RCW 82.08.820 to store fresh and/or frozen perishable fruits or vegetables, dairy products, seafood products, or any combination thereof, at a desired temperature to maintain the quality of the product for orderly marketing.

(3) "Dairy product" means dairy products that as of September 20, 2001, are identified in 21 C.F.R., chapter 1, parts 131, 133, and 135, including by-products from the manufacturing of the dairy products such as whey and casein.

(4) "Dairy product manufacturing" means manufacturing, as defined in RCW 82.04.120, of dairy products.

(5) "Department" means the department of revenue.

(6) "Eligible investment project" means an investment in qualified buildings or qualified machinery and equipment, including labor and services rendered in the planning, installation, and construction of the project. The lessor or owner of a qualified building is not eligible for a deferral unless (a) the underlying ownership of the buildings, machinery, and equipment vests

exclusively in the same person; or (b)(i) the lessor by written contract agrees to pass the economic benefit of the deferral to the lessee in the form of reduced rent payments, and (ii) the lessee that receives the economic benefit of the deferral agrees in writing with the department to complete the annual ~~((survey))~~ tax performance report under RCW 82.74.040. The economic benefit of the deferral to the lessee may be evidenced by any type of payment, credit, or any other financial arrangement between the lessor or owner of the qualified building and the lessee.

(7) "Fresh fruit and vegetable processing" means manufacturing as defined in RCW 82.04.120 which consists of the canning, preserving, freezing, processing, or dehydrating fresh fruits and/or vegetables.

(8)(a) "Initiation of construction" means the date that a building permit is issued under the building code adopted under RCW 19.27.031 for:

(i) Construction of the qualified building, if the underlying ownership of the building vests exclusively with the person receiving the economic benefit of the deferral;

(ii) Construction of the qualified building, if the economic benefits of the deferral are passed to a lessee as provided in subsection (6) of this section; or

(iii) Tenant improvements for a qualified building, if the economic benefits of the deferral are passed to a lessee as provided in subsection (6) of this section.

(b) "Initiation of construction" does not include soil testing, site clearing and grading, site preparation, or any other related activities that are initiated before the issuance of a building permit for the construction of the foundation of the building.

(c) If the investment project is a phased project, "initiation of construction" applies separately to each phase.

(9) "Person" has the meaning given in RCW 82.04.030.

(10) "Qualified buildings" means construction of new structures, and expansion or renovation of existing structures for the purpose of increasing floor space or production capacity used for fresh fruit and vegetable processing, dairy product manufacturing, seafood product manufacturing, cold storage warehousing, and research and development activities, including plant offices and warehouses or other facilities for the storage of raw material or finished goods if such facilities are an essential or an integral part of a factory, plant, or laboratory used for fresh fruit and vegetable processing, dairy product manufacturing, seafood product manufacturing, cold storage warehousing, or research and development. If a building is used partly for fresh fruit and vegetable processing, dairy product manufacturing, seafood product manufacturing, cold storage warehousing, or research and development and partly for other purposes, the applicable tax deferral ~~((shall be))~~ is determined by apportionment of the costs of construction under rules adopted by the department.

(11) "Qualified machinery and equipment" means all industrial and research fixtures, equipment, and support facilities that are an integral and necessary part of a fresh fruit and vegetable processing, dairy product manufacturing, seafood product manufacturing, cold storage ~~((warehouse))~~ warehousing, or research and development operation. "Qualified machinery and equipment" includes: Computers; software; data processing equipment; laboratory equipment; manufacturing components such as belts, pulleys, shafts, and moving parts; molds, tools, and dies; operating structures; and all equipment used to control or operate the machinery.

(12) "Recipient" means a person receiving a tax deferral under this chapter.

(13) "Research and development" means the development, refinement, testing, marketing, and commercialization of a product, service, or process related to fresh fruit and vegetable

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

processing, dairy product manufacturing, seafood product manufacturing, or cold storage warehousing before commercial sales have begun. As used in this subsection, "commercial sales" excludes sales of prototypes or sales for market testing if the total gross receipts from such sales of the product, service, or process do not exceed one million dollars.

(14) "Seafood product" means any edible marine fish and shellfish that remains in a raw, raw frozen, or raw salted state.

(15) "Seafood product manufacturing" means the manufacturing, as defined in RCW 82.04.120, of seafood products.

Sec. 46. RCW 82.75.010 and 2010 c 114 s 145 are each amended to read as follows:

~~((Unless the context clearly requires otherwise,))~~ The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Applicant" means a person applying for a tax deferral under this chapter.

(2) "Biotechnology" means a technology based on the science of biology, microbiology, molecular biology, cellular biology, biochemistry, or biophysics, or any combination of these, and includes, but is not limited to, recombinant DNA techniques, genetics and genetic engineering, cell fusion techniques, and new bioprocesses, using living organisms, or parts of organisms.

(3) "Biotechnology product" means any virus, therapeutic serum, antibody, protein, toxin, antitoxin, vaccine, blood, blood component or derivative, allergenic product, or analogous product produced through the application of biotechnology that is used in the prevention, treatment, or cure of diseases or injuries to humans.

(4) "Department" means the department of revenue.

(5)(a) "Eligible investment project" means an investment in qualified buildings or qualified machinery and equipment, including labor and services rendered in the planning, installation, and construction of the project.

(b) The lessor or owner of a qualified building is not eligible for a deferral unless:

(i) The underlying ownership of the buildings, machinery, and equipment vests exclusively in the same person; or

(ii)(A) The lessor by written contract agrees to pass the economic benefit of the deferral to the lessee;

(B) The lessee that receives the economic benefit of the deferral agrees in writing with the department to complete the annual ~~(survey))~~ tax performance report required under RCW 82.75.070; and

(C) The economic benefit of the deferral passed to the lessee is no less than the amount of tax deferred by the lessor and is evidenced by written documentation of any type of payment, credit, or other financial arrangement between the lessor or owner of the qualified building and the lessee.

(6)(a) "Initiation of construction" means the date that a building permit is issued under the building code adopted under RCW 19.27.031 for:

(i) Construction of the qualified building, if the underlying ownership of the building vests exclusively with the person receiving the economic benefit of the deferral;

(ii) Construction of the qualified building, if the economic benefits of the deferral are passed to a lessee as provided in subsection (5)(b)(ii)(A) of this section; or

(iii) Tenant improvements for a qualified building, if the economic benefits of the deferral are passed to a lessee as provided in subsection (5)(b)(ii)(A) of this section.

(b) "Initiation of construction" does not include soil testing, site clearing and grading, site preparation, or any other related

activities that are initiated before the issuance of a building permit for the construction of the foundation of the building.

(c) If the investment project is a phased project, "initiation of construction" applies separately to each phase.

(7) "Manufacturing" has the meaning provided in RCW 82.04.120.

(8) "Medical device" means an instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent, or other similar or related article, including any component, part, or accessory, that is designed or developed and:

(a) Recognized in the national formulary, or the United States pharmacopeia, or any supplement to them;

(b) Intended for use in the diagnosis of disease, or in the cure, mitigation, treatment, or prevention of disease or other conditions in human beings or other animals; or

(c) Intended to affect the structure or any function of the body of human beings or other animals, and which does not achieve any of its primary intended purposes through chemical action within or on the body of human beings or other animals and which is not dependent upon being metabolized for the achievement of any of its principal intended purposes.

(9) "Person" has the meaning provided in RCW 82.04.030.

(10) "Qualified buildings" means construction of new structures, and expansion or renovation of existing structures for the purpose of increasing floor space or production capacity used for biotechnology product manufacturing or medical device manufacturing activities, including plant offices, commercial laboratories for process development, quality assurance and quality control, and warehouses or other facilities for the storage of raw material or finished goods if the facilities are an essential or an integral part of a factory, plant, or laboratory used for biotechnology product manufacturing or medical device manufacturing. If a building is used partly for biotechnology product manufacturing or medical device manufacturing and partly for other purposes, the applicable tax deferral must be determined by apportionment of the costs of construction under rules adopted by the department.

(11) "Qualified machinery and equipment" means all new industrial and research fixtures, equipment, and support facilities that are an integral and necessary part of a biotechnology product manufacturing or medical device manufacturing operation. "Qualified machinery and equipment" includes: Computers; software; data processing equipment; laboratory equipment; manufacturing components such as belts, pulleys, shafts, and moving parts; molds, tools, and dies; operating structures; and all equipment used to control or operate the machinery.

(12) "Recipient" means a person receiving a tax deferral under this chapter.

Sec. 47. RCW 82.82.010 and 2008 c 15 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) "Applicant" means a person applying for a tax deferral under this chapter.

(2) "Corporate headquarters" means a facility or facilities where corporate staff employees are physically employed, and where the majority of the company's management services are handled either on a regional or a national basis. Company management services may include: Accounts receivable and payable, accounting, data processing, distribution management, employee benefit plan, financial and securities accounting, information technology, insurance, legal, merchandising, payroll, personnel, purchasing procurement, planning, reporting and compliance, research and development, tax, treasury, or other headquarters-related services. "Corporate headquarters" does not

include a facility or facilities used for manufacturing, wholesaling, or warehousing.

(3) "Department" means the department of revenue.

(4) "Eligible area" means a designated community empowerment zone approved under RCW 43.31C.020.

(5)(a) "Eligible investment project" means an investment project in a qualified building or buildings in an eligible area, as defined in subsection (4) of this section, which will have employment at the qualified building or buildings of at least three hundred employees in qualified employment positions, each of whom must earn for the year reported at least the average annual wage for the state for that year as determined by the employment security department.

(b) The lessor or owner of a qualified building or buildings is not eligible for a deferral unless:

(i) The underlying ownership of the building or buildings vests exclusively in the same person; or

(ii)(A) The lessor by written contract agrees to pass the economic benefit of the deferral to the lessee;

(B) The lessee that receives the economic benefit of the deferral agrees in writing with the department to complete the annual ~~((survey))~~ tax performance report required under RCW 82.82.020; and

(C) The economic benefit of the deferral passed to the lessee is no less than the amount of tax deferred by the lessor and is evidenced by written documentation of any type of payment, credit, or other financial arrangement between the lessor or owner of the qualified building and the lessee.

(6) "Investment project" means a capital investment of at least thirty million dollars in a qualified building or buildings including tangible personal property and fixtures that will be incorporated as an ingredient or component of such buildings during the course of their construction, and including labor and services rendered in the planning, installation, and construction of the project.

(7) "Manufacture" has the same meaning as provided in RCW 82.04.120.

(8) "Operationally complete" means a date no later than one year from the date the project is issued an occupancy permit by the local permit issuing authority.

(9) "Person" has the same meaning as provided in RCW 82.04.030.

(10) "Qualified building or buildings" means construction of a new structure or structures or expansion of an existing structure or structures to be used for corporate headquarters. If a building is used partly for corporate headquarters and partly for other purposes, the applicable tax deferral is determined by apportionment of the costs of construction under rules adopted by the department.

(11) "Qualified employment position" means a permanent full-time employee employed in the eligible investment project during the entire tax year. The term "entire tax year" means a full-time position that is filled for a period of twelve consecutive months. The term "full-time" means at least thirty-five hours a week, four hundred fifty-five hours a quarter, or one thousand eight hundred twenty hours a year.

(12) "Recipient" means a person receiving a tax deferral under this chapter.

(13) "Warehouse" means a building or structure, or any part thereof, in which goods, wares, or merchandise are received for storage for compensation.

(14) "Wholesale sale" has the same meaning as provided in RCW 82.04.060.

Sec. 48. RCW 82.85.030 and 2015 3rd sp.s. c 6 s 403 are each amended to read as follows:

The lessor or owner of a qualified building is not eligible for a deferral unless:

(1) The underlying ownership of the building, machinery, and equipment vests exclusively in the same person; or

(2)(a) The lessor by written contract agrees to pass the economic benefit of the deferral to the lessee;

(b) The lessee that receives the economic benefit of the deferral agrees in writing with the department to complete the annual ~~((survey))~~ tax performance report required under RCW ~~((82.32.585))~~ 82.32.534; and

(c) The economic benefit of the deferral passed to the lessee is no less than the amount of tax deferred by the lessor and is evidenced by written documentation of any type of payment, credit, or other financial arrangement between the lessor or owner of the qualified building and the lessee.

Sec. 49. RCW 82.85.080 and 2015 3rd sp.s. c 6 s 408 are each amended to read as follows:

(1) Each recipient of a deferral of taxes granted under this chapter must file a complete annual ~~((survey))~~ tax performance report with the department under RCW ~~((82.32.585))~~ 82.32.534. If the economic benefits of the deferral are passed to a lessee as provided in RCW 82.85.030, the lessee must file a complete annual ~~((survey))~~ tax performance report, and the applicant is not required to file a complete annual ~~((survey))~~ tax performance report.

(2) If, on the basis of a ~~((survey))~~ tax performance report under RCW ~~((82.32.585))~~ 82.32.534 or other information, the department finds that an investment project is not eligible for tax deferral under this chapter due to the fact the investment project is no longer used for qualified activities, the amount of deferred taxes outstanding for the investment project is immediately due and payable.

(3) If the economic benefits of a tax deferral under this chapter are passed to a lessee as provided in RCW 82.85.030, the lessee is responsible for payment to the extent the lessee has received the economic benefit.

Sec. 50. RCW 84.36.840 and 2016 c 217 s 6 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, 84.36.049, and 84.36.030, are exempt from property taxes, and before the exemption is allowed for any year, the superintendent or manager or other proper officer of the organization, association, corporation, or institution claiming exemption from taxation 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 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 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 must be submitted on or before March 31st of each year. The department 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 must allow a reasonable

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

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. 51. RCW 84.37.040 and 2007 sp.s. c 2 s 4 are each amended to read as follows:

(1) Each claimant electing to defer payment of special assessments or real property tax obligations, or both, under this chapter ~~((shall))~~ must file with the county assessor, on forms prescribed by the department and supplied by the assessor, a written declaration thereof. The declaration to defer special assessments and/or real property taxes for any year ~~((shall))~~ must be filed no later than the first day of September of the year for which the deferral is sought ~~((: PROVIDED, That))~~; however, for good cause shown, the department may waive this requirement.

(2) The declaration ~~((shall))~~ must designate the property to which the deferral applies, and ~~((shall))~~ must include a statement setting forth (a) a list of all members of the claimant's household, (b) the claimant's equity value in his or her residence, (c) facts establishing the eligibility for the deferral under the provisions of this chapter, and (d) any other relevant information required by the rules of the department. ~~((Each copy shall))~~ The declaration must be signed by the claimant subject to the penalties as provided in chapter 9A.72 RCW for false swearing.

(3) The county assessor ~~((shall))~~ must determine if each claimant ~~((shall be))~~ is granted a deferral for each year but the claimant ~~((shall have))~~ has the right to appeal this determination to the county board of equalization, in accordance with the provisions of RCW 84.40.038, whose decision ~~((shall be))~~ is final as to the deferral of that year.

Sec. 52. RCW 84.38.040 and 2013 c 23 s 353 are each amended to read as follows:

(1) Each claimant electing to defer payment of special assessments and/or real property tax obligations under this chapter ~~((shall))~~ must file with the county assessor, on forms prescribed by the department and supplied by the assessor, a written declaration thereof. The declaration to defer special assessments and/or real property taxes for any year ~~((shall))~~ must be filed no later than thirty days before the tax or assessment is due or thirty days after receiving notice under RCW 84.64.050, whichever is later ~~((: PROVIDED, That))~~; however, for good cause shown, the department may waive this requirement.

(2) The declaration ~~((shall))~~ must designate the property to which the deferral applies, and ~~((shall))~~ must include a statement setting forth (a) a list of all members of the claimant's household, (b) the claimant's equity value in his or her residence, (c) facts establishing the eligibility for the deferral under the provisions of this chapter, and (d) any other relevant information required by the rules of the department. ~~((Each copy shall))~~ The declaration must be signed by the claimant subject to the penalties as provided in chapter 9A.72 RCW for false swearing. The first declaration to defer filed in a county ~~((shall))~~ must include proof of the claimant's age acceptable to the assessor.

(3) The county assessor ~~((shall))~~ must determine if each claimant ~~((shall be))~~ is granted a deferral for each year but the claimant ~~((shall have))~~ has the right to appeal this determination to the county board of equalization, in accordance with the provisions of RCW 84.40.038, whose decision ~~((shall be))~~ is final as to the deferral of that year.

Sec. 53. RCW 84.38.050 and 1979 ex.s. c 214 s 8 are each amended to read as follows:

(1)(a) Declarations to defer property taxes for all years following the first year may be made by filing with the county assessor no later than thirty days before the tax is due a renewal form ~~((in duplicate))~~, prescribed by the department of revenue and supplied by the county assessor, which affirms the continued eligibility of the claimant.

(b) In January of each year, the county assessor ~~((shall))~~ must send to each claimant who has been granted deferral of ad valorem taxes for the previous year renewal forms and notice to renew.

(2) Declarations to defer special assessments ~~((shall))~~ must be made by filing with the assessor no later than thirty days before the special assessment is due on a form to be prescribed by the department of revenue and supplied by the county assessor. Upon approval, the full amount of special assessments upon such claimant's residence ~~((shall))~~ must be deferred but not to exceed an amount equal to eighty percent of the claimant's equity value in said property.

Sec. 54. RCW 84.38.110 and 1984 c 220 s 24 are each amended to read as follows:

The county assessor ~~((shall))~~ must:

(1) Immediately transmit ~~((one))~~ a copy of each declaration to defer to the department of revenue. The department may audit any declaration and ~~((shall))~~ must notify the assessor as soon as possible of any claim where any factor appears to disqualify the claimant for the deferral sought.

(2) Transmit ~~((one))~~ a copy of each declaration to defer a special assessment to the local improvement district which imposed such assessment.

(3) Compute the dollar tax rate for the county as if any deferrals provided by this chapter did not exist.

(4) As soon as possible notify the department of revenue and the county treasurer of the amount of real property taxes deferred for that year and notify the department of revenue and the respective treasurers of municipal corporations of the amount of special assessments deferred for each local improvement district within such unit.

Sec. 55. RCW 84.39.020 and 2005 c 253 s 2 are each amended to read as follows:

(1) Each claimant applying for assistance under RCW 84.39.010 ~~((shall))~~ must file a claim with the department, on forms prescribed by the department, no later than thirty days before the tax is due. The department may waive this requirement for good cause shown. The department ~~((shall))~~ must supply forms to the county assessor to allow persons to apply for the program at the county assessor's office.

(2) The claim ~~((shall))~~ must designate the property to which the assistance applies and ~~((shall))~~ must include a statement setting forth (a) a list of all members of the claimant's household, (b) facts establishing the eligibility under this section, and (c) any other relevant information required by the rules of the department. ~~((Each copy shall))~~ The claim must be signed by the claimant subject to the penalties as provided in chapter 9A.72 RCW for false swearing. The first claim ~~((shall))~~ must include proof of the claimant's age acceptable to the department.

(3) The following documentation ~~((shall))~~ must be filed with a claim along with any other documentation required by the department:

(a) The deceased veteran's DD 214 report of separation, or its equivalent, that must be under honorable conditions;

(b) A copy of the applicant's certificate of marriage to the deceased;

(c) A copy of the deceased veteran's death certificate; and

(d) A letter from the United States veterans' administration certifying that the death of the veteran meets the requirements of RCW 84.39.010(2).

(4) The department of veterans affairs ~~((shall))~~ must assist an eligible widow or widower in the preparation and submission of an application and the procurement of necessary substantiating documentation.

~~((4))~~ (5) The department ~~((shall))~~ must determine if each claimant is eligible each year. Any applicant aggrieved by the department's denial of assistance may petition the state board of tax appeals to review the denial and the board ~~((shall))~~ must consider any appeals to determine (a) if the claimant is entitled to assistance and (b) the amount or portion thereof.

Sec. 56. RCW 84.39.030 and 2005 c 253 s 3 are each amended to read as follows:

(1) Claims for assistance for all years following the first year may be made by filing with the department no later than thirty days before the tax is due a renewal form ~~((in duplicate))~~, prescribed by the department, that affirms the continued eligibility of the claimant.

(2) In January of each year, the department ~~((shall))~~ must send to each claimant who has been granted assistance for the previous year a renewal form~~((s))~~ and notice to renew.

Sec. 57. RCW 84.56.150 and 1961 c 15 s 84.56.150 are each amended to read as follows:

If any person, firm, or corporation ~~((shall remove))~~ removes from one county to another in this state personal property ~~((which))~~ that has been assessed in the former county for a tax ~~((which))~~ that is unpaid at the time of such removal, the treasurer of the county from which the property is removed ~~((shall))~~ must certify to the treasurer of the county to which the property has been ~~((removed))~~ moved a statement of the tax together with all delinquencies and penalties.

Sec. 58. RCW 82.32.805 and 2013 2nd sp.s. c 13 s 1701 are each amended to read as follows:

(1)(a) Except as otherwise provided in this section, every new tax preference expires on the first day of the calendar year that is subsequent to the calendar year that is ten years from the effective date of the tax preference. With respect to any new property tax exemption, the exemption does not apply to taxes levied for collection beginning in the calendar year that is subsequent to the calendar year that is ten years from the effective date of the tax preference.

(b) A future amendment that expands a tax preference does not extend the tax preference beyond the period provided in this subsection unless an extension is expressly and unambiguously stated in the amendment.

(2) Subsection (1) of this section does not apply if legislation creating a new tax preference includes an expiration date for the new tax preference or an exemption from this section in its entirety or from the provisions of subsection (1) of this section, whether or not such exemption is codified.

(3) Subsection (1) of this section does not apply to any existing tax preference that is amended to clarify an ambiguity or correct a technical inconsistency. Future enacted legislation intended to make such clarifications or corrections must explicitly indicate this intent.

(4) For the purposes of this section, the following definitions apply:

(a) "New tax preference" means a tax preference that initially takes effect after August 1, 2013, or a tax preference in effect as of August 1, 2013, that is expanded or extended after August 1, 2013, even if the expanding or extending amendment includes any other change to the tax preference.

(b) "Tax preference" has the same meaning as in RCW 43.136.021 with respect to any state tax administered by the department, except does not include the Washington estate and transfer tax in chapter 83.100 RCW.

(5) The department must provide written notice to the office of the code reviser of a ten-year expiration date required under this section for a new tax preference.

Sec. 59. RCW 82.32.808 and 2017 c 135 s 8 are each amended to read as follows:

(1) As provided in this section, every bill enacting a new tax preference must include a tax preference performance statement, unless the legislation enacting the new tax preference contains an explicit exemption from the requirements of this section.

(2) A tax preference performance statement must state the legislative purpose for the new tax preference. The tax preference performance statement must indicate one or more of the following general categories, by reference to the applicable category specified in this subsection, as the legislative purpose of the new tax preference:

(a) Tax preferences intended to induce certain designated behavior by taxpayers;

(b) Tax preferences intended to improve industry competitiveness;

(c) Tax preferences intended to create or retain jobs;

(d) Tax preferences intended to reduce structural inefficiencies in the tax structure;

(e) Tax preferences intended to provide tax relief for certain businesses or individuals; or

(f) A general purpose not identified in (a) through (e) of this subsection.

(3) In addition to identifying the general legislative purpose of the tax preference under subsection (2) of this section, the tax preference performance statement must provide additional detailed information regarding the legislative purpose of the new tax preference.

(4) A new tax preference performance statement must specify clear, relevant, and ascertainable metrics and data requirements that allow the joint legislative audit and review committee and the legislature to measure the effectiveness of the new tax preference in achieving the purpose designated under subsection (2) of this section.

(5) If the tax preference performance statement for a new tax preference indicates a legislative purpose described in subsection (2)(b) or (c) of this section, any taxpayer claiming the new tax preference must file an annual tax performance report in accordance with RCW 82.32.534.

(6)(a) Taxpayers claiming a new tax preference must report the amount of the tax preference claimed by the taxpayer to the department as otherwise required by statute or determined by the department as part of the taxpayer's regular tax reporting responsibilities. For new tax preferences allowing certain types of gross income of the business to be excluded from business and occupation or public utility taxation, the tax return must explicitly report the amount of the exclusion, regardless of whether it is structured as an exemption or deduction, if the taxpayer is otherwise required to report taxes to the department on a monthly or quarterly basis. For a new sales and use tax exemption, the total purchase price or value of the exempt product or service subject to the exemption claimed by the buyer must be reported on an addendum to the buyer's tax return if the buyer is otherwise required to report taxes to the department on a monthly or quarterly basis and the buyer is required to submit an exemption certificate, or similar document, to the seller.

(b) This subsection does not apply to:

(i) Property tax exemptions;

(ii) Tax preferences required by constitutional law;

(iii) Tax preferences for which the tax benefit to the taxpayer is less than one thousand dollars per calendar year; or

(iv) Taxpayers who are annual filers.

(c) The department may waive the filing requirements of this subsection for taxpayers who are not required to file electronically any return or report under this chapter.

(7)(a) Except as otherwise provided in this subsection, the amount claimed by a taxpayer for any new tax preference is subject to public disclosure and is not considered confidential tax

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

information under RCW 82.32.330, if the reporting periods subject to disclosure ended at least twenty-four months prior to the date of disclosure and the taxpayer is required to report the amount of the tax preference claimed by the taxpayer to the department under subsection (6) of this section.

(b)(i) The department may waive the public disclosure requirement under (a) of this subsection (7) for good cause. Good cause may be demonstrated by a reasonable showing of economic harm to a taxpayer if the information specified under this subsection is disclosed. The waiver under this subsection (7)(b)(i) only applies to the new tax preferences provided in chapter 13, Laws of 2013 2nd sp. sess.

(ii) The amount of the tax preference claimed by a taxpayer during a calendar year is confidential under RCW 82.32.330 and may not be disclosed under this subsection if the amount for the calendar year is less than ten thousand dollars.

(c) In lieu of the disclosure and waiver requirements under this subsection, the requirements under RCW 82.32.534 apply to any tax preference that requires a tax performance report.

(8) If a new tax preference does not include the information required under subsections (2) through (4) of this section, the joint legislative audit and review committee is not required to perform a tax preference review under chapter 43.136 RCW, and it is legislatively presumed that it is the intent of the legislature to allow the new tax preference to expire upon its scheduled expiration date.

(9) For the purposes of this section, "tax preference" and "new tax preference" have the same meaning as provided in RCW 82.32.805.

(10) The provisions of this section do not apply to the extent that legislation creating a new tax preference provides an exemption, in whole or in part, from this section, whether or not such exemption is codified.

NEW SECTION. Sec. 60. The following acts or parts of acts are each repealed:

(1)RCW 82.04.4322 (Deductions—Artistic or cultural organization—Compensation from United States, state, etc., for artistic or cultural exhibitions, performances, or programs) and 1981 c 140 s 1;

(2)RCW 82.04.4324 (Deductions—Artistic or cultural organization—Deduction for tax under RCW 82.04.240—Value of articles for use in displaying art objects or presenting artistic or cultural exhibitions, performances, or programs) and 1981 c 140 s 2;

(3)RCW 82.04.4326 (Deductions—Artistic or cultural organizations—Tuition charges for attending artistic or cultural education programs) and 1981 c 140 s 3;

(4)RCW 82.08.02081 (Exemptions—Audio or video programming) and 2009 c 535 s 502;

(5)RCW 82.08.02082 (Exemptions—Digital products or services—Ingredient or component—Made available for free) and 2017 c 323 s 517, 2010 c 111 s 401, & 2009 c 535 s 503;

(6)RCW 82.08.02087 (Exemptions—Digital goods and services—Purchased for business purposes) and 2010 c 111 s 402 & 2009 c 535 s 504;

(7)RCW 82.08.02088 (Exemptions—Digital products—Business buyers—Concurrently available for use within and outside state) and 2017 c 323 s 518 & 2009 c 535 s 701;

(8)RCW 82.12.02081 (Exemptions—Audio or video programming) and 2009 c 535 s 602;

(9)RCW 82.12.02082 (Exemptions—Digital products or services—Made available for free to general public) and 2017 c 323 s 521, 2010 c 111 s 501, & 2009 c 535 s 603;

(10)RCW 82.12.02084 (Exemptions—Digital goods—Use by students) and 2009 c 535 s 604;

(11)RCW 82.12.02085 (Exemptions—Digital goods—Noncommercial—Internal audience—Not for sale) and 2009 c 535 s 605;

(12)RCW 82.12.02086 (Exemptions—Digital products or codes—Free of charge) and 2009 c 535 s 606;

(13)RCW 82.12.02087 (Exemptions—Digital goods, codes, and services—Used for business purposes) and 2010 c 111 s 502 & 2009 c 535 s 607;

(14)RCW 82.32.755 (Sourcing compliance—Taxpayer relief—Interest and penalties—Streamlined sales and use tax agreement) and 2007 c 6 s 1601;

(15)RCW 82.32.760 (Sourcing compliance—Taxpayer relief—Credits—Streamlined sales and use tax agreement) and 2007 c 6 s 1602;

(16)RCW 82.66.010 (Definitions) and 1995 c 352 s 1;

(17)RCW 82.66.020 (Application for deferral—Contents—Ruling) and 1995 c 352 s 2;

(18)RCW 82.66.040 (Repayment schedule—Interest, penalties) and 1998 c 339 s 1 & 1995 c 352 s 4;

(19)RCW 82.66.050 (Applications not confidential) and 1995 c 352 s 6;

(20)RCW 82.66.060 (Administration) and 1995 c 352 s 5; and

(21)RCW 82.66.901 (Effective date—1995 c 352) and 1995 c 352 s 9.

NEW SECTION. Sec. 61. The following sections are decodified:

(1) RCW 82.58.005 (Findings);

(2) RCW 82.58.901 (Effective date—2002 c 267 §§ 1-9); and

(3) RCW 82.58.902 (Contingent effective date—2002 c 267 §§ 10 and 11).

NEW SECTION. Sec. 62. Section 38 of this act takes effect January 1, 2022."

On page 1, line 5 of the title, after "43.88A RCW;" strike the remainder of the title and insert "amending RCW 19.02.085, 82.04.192, 82.04.4266, 82.04.4268, 82.04.4269, 82.04.4327, 82.04.4328, 82.08.0201, 82.08.0208, 82.08.025651, 82.08.02807, 82.08.155, 82.08.195, 82.08.806, 82.08.956, 82.08.9651, 82.12.0208, 82.12.02749, 82.12.930, 82.12.956, 82.12.9651, 82.14.049, 82.14.400, 82.14.457, 82.16.0497, 82.16.055, 82.23A.010, 82.24.010, 82.24.551, 82.26.121, 82.26.130, 82.26.190, 82.26.200, 82.29A.060, 82.29A.120, 82.32.062, 82.32.300, 82.32.780, 82.60.025, 82.60.063, 82.63.010, 82.74.010, 82.75.010, 82.82.010, 82.85.030, 82.85.080, 84.36.840, 84.37.040, 84.38.040, 84.38.050, 84.38.110, 84.39.020, 84.39.030, 84.56.150, 82.32.805, and 82.32.808; amending 2017 3rd sp.s. c 37 ss 501 and 504 (uncodified); reenacting and amending RCW 82.26.010; decodifying RCW 82.58.005, 82.58.901, and 82.58.902; repealing RCW 82.04.4322, 82.04.4324, 82.04.4326, 82.08.02081, 82.08.02082, 82.08.02087, 82.08.02088, 82.12.02081, 82.12.02082, 82.12.02084, 82.12.02085, 82.12.02086, 82.12.02087, 82.32.755, 82.32.760, 82.66.010, 82.66.020, 82.66.040, 82.66.050, 82.66.060, and 82.66.901; and providing an effective date."

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

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1135 by Senators Schoesler and Keiser to Senate Bill No. 5402.

The motion by Senator Schoesler carried and striking floor amendment no. 1135 was adopted by voice vote.

MOTION

On motion of Senator Schoesler, the rules were suspended, Engrossed Senate Bill No. 5402 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Schoesler 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. 5402.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5402 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

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

Absent: Senator Ericksen

Excused: Senator Fortunato

ENGROSSED SENATE BILL NO. 5402, having received the 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, Senator Ericksen was excused.

SECOND READING

SENATE BILL NO. 6288, by Senators Dhingra, Pedersen, Frockt, Carlyle, Wilson, C., Kuderer, Das, Hunt, Lovelett, Nguyen and Saldaña

Creating the Washington office of firearm violence prevention.

MOTION

On motion of Senator Dhingra, Substitute Senate Bill No. 6288 was substituted for Senate Bill No. 6288 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Muzzall moved that the following floor amendment no. 998 by Senator Muzzall be adopted:

- On page 1, beginning on line 1, after "that" strike "firearm"
- On page 1, line 11, after "recognizes that" strike "firearm"
- On page 1, line 15, after "state." Strike all material through line 17.
- On page 1, beginning on line 19, strike "firearm"
- On page 1, line 21, after "from" strike "firearm"
- On page 2, line 4, after "impacts of" strike "firearm"
- On page 2, line 9, after "costs of" strike "firearm"
- On page 2, line 14, after "office of" strike "firearm"
- On page 2, line 16, after "office of" strike "firearm"
- On page 2, line 19, after "reduce" strike "firearm"
- On page 2, line 26, after "evidence-based" strike "firearm"
- On page 2, beginning on line 30, strike "firearm"

- On page 2, beginning on line 33, strike "firearm"
- On page 2, line 35, after "of" strike "firearm"
- On page 3, line 1, after "Washington" strike "firearm"
- On page 3, beginning on line 6, strike "firearm"
- On page 3, line 9, after "Washington" strike "firearm"
- On page 3, line 12, after "effective" strike "firearm"
- On page 3, line 20, after "incidence of" strike "firearm"
- On page 3, line 23, after "victimized by" strike "firearm"
- On page 3, line 35, after "evidence-based" strike "firearm"
- On page 4, line 1, after "proposed" strike "firearm"
- On page 4, line 6, after "reducing" strike "firearm"
- On page 4, line 14, after "safety of" strike "firearm"
- On page 1, line 1 of the title, after "office of", strike "firearm"

Senator Muzzall spoke in favor of adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Muzzall and without objection, floor amendment no. 998 by Senator Muzzall on page 1, line 1 to Substitute Senate Bill No. 6288 was withdrawn.

WITHDRAWAL OF AMENDMENT

On motion of Senator Short and without objection, the following amendments:

- no. 1118 by Senator Schoesler on page 2, line 6;
- no. 1132 by Senator Braun on page 2, line 28;
- no. 1119 by Senator Wilson, L. on page 2, line 29;
- no. 1120 by Senator Wilson, L. on page 3, line 2;
- no. 1129 by Senator Braun on page 3, line 2;
- no. 1115 by Senator Becker on page 3, line 8;
- no. 1117 by Senator Wagoner on page 3, line 26;
- no. 1121 by Senator Short on page 3, line 26
- no. 1094 by Senator Padden on page 4, line 26; and
- no. 1131 by Senator Braun on page 4, line 28 to Substitute Senate Bill No. 6288 were withdrawn.

MOTION

Senator Randall moved that the following striking floor amendment no. 1104 by Senator Randall be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that firearm violence is a significant public health and safety concern in Washington. From 2014 to 2018, over one thousand people in Washington were murdered and well over half of those victims were murdered with a gun. Thousands more were hospitalized or treated in emergency departments after surviving gunshot injuries. The legislature recognizes that firearm violence in Washington disproportionately impacts low-income communities and communities of color, with young men of color being particularly vulnerable. This violence imposes a high physical, emotional, and financial toll on families and communities across the state. In Washington, the overall estimate of the annual economic cost of gun violence is three billion eight hundred million dollars.

The legislature recognizes that rates of suicide have been growing in the United States as well as in the state of Washington. Seventy-nine percent of all firearm deaths in Washington state are suicides. More people die of suicide by firearm than by all other means combined.

The legislature intends to establish the Washington office of firearm safety and violence prevention to provide statewide

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

leadership, coordination, and technical assistance to promote effective state and local efforts to reduce preventable injuries and deaths from firearm violence. The office will work with government entities, law enforcement agencies, community-based organizations, and individuals through the state to develop evidence-based policies, strategies, and interventions to reduce the impacts of firearm violence in Washington's communities. The office will also administer the Washington firearm violence intervention and prevention grant program which will provide for intentional, coordinated, and sustained investments in evidence-based violence reduction strategies to reduce the human and financial costs of firearm violence and enhance firearm safety.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of commerce.

(2) "Office" means the Washington office of firearm safety and violence prevention.

NEW SECTION. Sec. 3. (1) The Washington office of firearm safety and violence prevention is created within the department for the purposes of coordinating and promoting effective state and local efforts to reduce firearm violence.

(2) The duties of the office include, but are not limited to:

(a) Working with law enforcement agencies, county prosecutors, researchers, and public health agencies throughout the state to identify and improve upon available data sources, data collection methods, and data-sharing mechanisms. The office will also identify gaps in available data needed for ongoing analysis, policy development, and the implementation of evidence-based firearm violence intervention and prevention strategies;

(b) Researching, identifying, and recommending legislative policy options to promote the implementation of statewide evidence-based firearm violence intervention and prevention strategies;

(c) Researching, identifying, and applying for nonstate funding to aid in the research, analysis, and implementation of statewide firearm violence intervention and prevention strategies;

(d) Working with the office of crime victim advocacy to identify opportunities to better support victims of firearm violence, a population that is currently underrepresented among recipients of victim services;

(e) Contract for a statewide helpline, counseling, and referral services for victims, friends, and family members impacted by gun violence and community professionals and providers who engage with them;

(f) Contract with the University of Washington to develop a best practice guide for therapy for gun violence victims;

(g) Administering the Washington firearm violence intervention and prevention grant program as outlined in section 4 of this act.

(3) The office shall report to the appropriate legislative policy committees by December 1st every odd-numbered year on its progress and findings in analyzing data, developing strategies to prevent firearm violence, and recommendations for additional legislative policy options. The first report must be submitted by December 1, 2021.

NEW SECTION. Sec. 4. Subject to the availability of amounts appropriated for this specific purpose, the office shall contract with a level one trauma center in the state of Washington to provide a statewide helpline, counseling, and referral service for victims, friends, and family members impacted by gun violence and community professionals, legal practitioners, health providers, and others who engage with them. The service must be developed in consultation with the office of crime victims advocacy established in RCW 43.280.080, and include the

opportunity for brief clinical encounters, problem solving, and referral to the best statewide resources available to meet their needs. The service must become conversant with providers across the state that are trained in evidence-based trauma therapy and establish relationships to ensure specific knowledge of available resources. The office of crime victims advocacy established in RCW 43.280.080 must provide consultation within existing resources.

NEW SECTION. Sec. 5. The office shall contract with the University of Washington department of psychiatry and behavioral sciences to develop a best practice guide for therapy for gun violence victims in collaboration with the Harborview center for sexual assault and traumatic stress. The guide must summarize the state of the knowledge in this area and provide recommendations for areas of focus and action that are meaningful and practical for different constituencies. The guide must be made available to the public online and disseminated across the state to appropriate entities including but not limited to medical examiner's offices, prosecuting attorneys, level one and level two trauma centers, and victim support organizations.

NEW SECTION. Sec. 6. (1) The Washington firearm violence intervention and prevention grant program is created to be administered by the office. The purpose of the program is to improve public health and safety by supporting effective firearm violence reduction initiatives in communities that are disproportionately affected by firearm violence including suicides.

(2) Program grants shall be used to support, expand, and replicate evidence-based violence reduction initiatives, including hospital-based violence intervention programs, evidence-based street outreach programs, and focused deterrence strategies, that seek to interrupt the cycles of violence, victimization, and retaliation in order to reduce the incidence of firearm violence. These initiatives must be primarily focused on providing violence intervention services to the small segment of the population that is identified as having the highest risk of perpetrating or being victimized by firearm violence.

(3) Program grants shall be made on a competitive basis to cities that are disproportionately impacted by violence, and to community-based organizations that serve the residents of those cities. Where appropriate, two or more cities may submit joint applications to better address regional problems.

(4) An applicant for a program grant shall submit a proposal, in a form prescribed by the office, which must include, but not be limited to, all of the following:

(a) Clearly defined and measurable objectives for the grant;

(b) A statement describing how the applicant proposes to use the grant to implement an evidence-based firearm reduction initiative in accordance with this section;

(c) A statement describing how the applicant proposes to use the grant to enhance coordination of existing violence prevention and intervention programs and minimize duplication of services; and

(d) Evidence indicating that the proposed firearm violence reduction initiative would likely reduce the incidence of firearm violence.

(5) In awarding program grants, the office shall give preference to applicants whose grant proposals demonstrate the greatest likelihood of reducing firearm violence in the applicant's community, without contributing to mass incarceration.

(6) Each city that receives a program grant shall distribute no less than fifty percent of the grant funds to one or more of any of the following types of entities:

(a) Community-based organizations; and

(b) Public agencies or departments, other than law enforcement agencies or departments, that are primarily dedicated to community safety or firearm violence prevention.

(7) The office shall form a grant selection advisory committee including, without limitation, persons who have been impacted by violence, formerly incarcerated persons, and persons with direct experience in implementing evidence-based violence reduction initiatives, including initiatives that incorporate public health and community-based approaches.

(8) Each grantee shall report to the office, in a form and at intervals prescribed by the office, the grantee's progress in achieving the grant objectives.

(9) The office may contract with an independent entity with expertise in evaluating community-based grant-funded programs to evaluate the grant program's effectiveness.

NEW SECTION. Sec. 7. Sections 2 through 6 of this act constitute a new chapter in Title 43 RCW."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "the Washington office of firearm safety and violence prevention; adding a new chapter to Title 43 RCW; and creating a new section."

MOTION

Senator Muzzall moved that the following floor amendment no. 1112 by Senator Muzzall be adopted:

On page 1, line 3, after "that" strike "firearm"
 On page 1, line 9, after "that" strike "firearm"
 On page 1, at the beginning of line 18, strike all material through "combined." on line 20
 On page 1, at the beginning of line 22, strike "firearm"
 On page 1, line 25, after "from" strike "firearm"
 On page 1, line 28, after "impacts of" strike "firearm"
 On page 1, line 30, after "Washington" strike "firearm"
 On page 2, line 1, after "costs of" strike "firearm"
 On page 2, line 2, after "enhance" strike "firearm"
 On page 2, line 7, after "office of" strike "firearm"
 On page 2, line 9, after "office of" strike "firearm"
 On page 2, line 12, after "reduce" strike "firearm"
 On page 2, line 19, after "evidence-based" strike "firearm"
 On page 2, at the beginning of line 23, strike "firearm"
 On page 2, at the beginning of line 26, strike "firearm"
 On page 2, line 28, after "victims of" strike "firearm"
 On page 2, line 37, after "Washington" strike "firearm"
 On page 3, at the beginning of line 4, strike "firearm"
 On page 3, line 34, after "Washington" strike "firearm"
 On page 3, line 37, after "effective" strike "firearm"
 On page 4, line 2, after "affected by" strike "firearm"
 On page 4, line 8, after "incidence of" strike "firearm"
 On page 4, line 11, after "victimized by" strike "firearm"
 On page 4, line 23, after "evidence-based" strike "firearm"
 On page 4, line 28, after "proposed" strike "firearm"
 On page 4, line 29, after "incidence of" strike "firearm"
 On page 4, line 33, after "reducing" strike "firearm"
 On page 5, line 3, after "safety or" strike "firearm"
 On page 5, line 19, after "office of" strike "firearm"

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

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

The President declared the question before the Senate to be the adoption of floor amendment no. 1112 by Senator Muzzall on page 1, line 3 to striking floor amendment no. 1104.

The motion by Senator Muzzall did not carry and floor amendment no. 1112 was not adopted by voice vote.

MOTION

Senator Schoesler moved that the following floor amendment no. 1122 by Senator Schoesler be adopted:

On page 1, line 30, after "firearm" strike "violence intervention and prevention" and insert "safety"

On page 2, line 12, after "to" strike "reduce firearm violence" and insert "promote safe firearm practices"

On page 2, beginning on line 37, after "firearm" strike "violence intervention and prevention" and insert "safety"

On page 3, beginning on line 34, after "firearm" strike "violence intervention and prevention" and insert "safety"

Beginning on page 3, line 37, after "firearm" strike "violence reduction" and insert "safety"

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

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

Senator Schoesler 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 the amendment by Senator Schoesler on page 1, line 30 to striking floor amendment no. 1104.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Schoesler and the amendment was not adopted by the following vote: Yeas, 23; Nays, 25; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Hawkins, Hobbs, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Wellman and Wilson, C.

Excused: Senator Fortunato.

MOTION

Senator Braun moved that the following floor amendment no. 1133 by Senator Braun be adopted:

On page 2, line 21, after "(b)", strike all material down through "(d)" on line 27

On page 2, line 31, strike "(e)", and insert "(c)"

On page 2, line 35, strike "(f)", and insert "(d)"

On page 2, line 37, strike "(g)", and insert "(e)"

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

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

The President declared the question before the Senate to be the adoption of floor amendment no. 1133 by Senator Braun on page 2, line 21 to striking floor amendment no. 1104.

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

The motion by Senator Braun did not carry and floor amendment no. 1133 was not adopted by voice vote.

MOTION

Senator Wilson, L. moved that the following floor amendment no. 1124 by Senator Wilson, L. be adopted:

On page 2, line 22, after "statewide" strike "evidence-based" and insert "scientific, peer-reviewed"

Senators Wilson, L. and Short spoke in favor of adoption of the amendment to the striking amendment.

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

The President declared the question before the Senate to be the adoption of floor amendment no. 1124 by Senator Wilson, L. on page 2, line 22 to striking floor amendment no. 1104.

The motion by Senator Wilson, L. did not carry and floor amendment no. 1124 was not adopted by voice vote.

MOTION

Senator Wilson, L. moved that the following floor amendment no. 1123 by Senator Wilson, L. be adopted:

On page 2, line 38, after "act" insert ";

(h) Working with the national rifle association, education professionals, urban housing safety officials, clinical psychologists, and firearms safety experts to develop and implement a gun safety program designed for children in prekindergarten through grade five;

(i) Working with the national rifle association, education professionals, urban housing safety officials, clinical psychologists, and firearms safety experts to develop and implement a gun safety program designed for children in grades six through eight;

(j) Working with the national rifle association, education professionals, urban housing safety officials, clinical psychologists, and firearms safety experts to develop and implement a gun safety program designed for children in grades nine through twelve"

Senator Wilson, L. spoke in favor of adoption of the amendment to the striking amendment.

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

The President declared the question before the Senate to be the adoption of floor amendment no. 1123 by Senator Wilson, L. on page 2, line 38 to striking floor amendment no. 1104.

The motion by Senator Wilson, L. did not carry and floor amendment no. 1123 was not adopted by voice vote.

MOTION

Senator Braun moved that the following floor amendment no. 1130 by Senator Braun be adopted:

On page 2, line 38, after "act" insert ";

(h) Reducing instances of firearm deaths by suicide, which comprise over seventy-five percent of firearm deaths in Washington over the last five years. The office shall work collaboratively with the department of health and the Washington action alliance for suicide prevention"

On page 3, line 5, after "must" insert "focus on efforts and progress in reducing instances of firearm death by suicide and"

Senators Braun, Short and Brown spoke in favor of adoption of the amendment to the striking amendment.

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

Senator Short 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 the amendment by Senator Braun on page 2, line 38 to striking floor amendment no. 1104.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Braun and the amendment was not adopted by the following vote: Yeas, 24; Nays, 25; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Hawkins, Hobbs, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Randall, Rivers, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liiias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Rolfes, Saldaña, Salomon, Stanford, Wellman and Wilson, C.

Excused: Senator Fortunato.

WITHDRAWAL OF AMENDMENT

On motion of Senator Becker and without objection, floor amendment no. 1116 by Senator Becker on page 3, line 6 to striking floor amendment no. 1104 was withdrawn.

WITHDRAWAL OF AMENDMENT

On motion of Senator Wagoner and without objection, floor amendment no. 1125 by Senator Wagoner on page 4, line 14 to striking floor amendment no. 1104 was withdrawn.

MOTION

Senator Short moved that the following floor amendment no. 1126 by Senator Short be adopted:

On page 4, line 14, after "violence," insert "to law enforcement agencies in those cities,"

On page 5, beginning on line 1, after "departments" strike all material through "departments," on line 2

Senator Short and Dhingra 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 floor amendment no. 1126 by Senator Short on page 1, line 14 to striking floor amendment no. 1104.

The motion by Senator Short carried and floor amendment no. 1126 was adopted by voice vote.

MOTION

Senator Padden moved that the following floor amendment no. 1113 by Senator Padden be adopted:

On page 5, after line 15, insert the following:

"(10) Program grants may not be awarded to any community-based organization owned by a billionaire."

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

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

The President declared the question before the Senate to be the adoption of floor amendment no. 1113 by Senator Padden on page 5, after line 15 to striking floor amendment no. 1104.

The motion by Senator Padden did not carry and floor amendment no. 1113 was not adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Braun and without objection, floor amendment no. 1128 by Senator Braun on page 5, line 17 to striking floor amendment no. 1104 was withdrawn.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1104 by Senator Randall as amended to Substitute Senate Bill No. 6288.

The motion by Senator Randall carried and striking floor amendment no. 1104 as amended was adopted on a rising vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Substitute Senate Bill No. 6288 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Randall spoke in favor of passage of the bill.

Senators Padden, Braun, Walsh, Wagoner and Short spoke against passage of the bill.

Senator Pedersen spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6288.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6288 and the bill passed the Senate by the following vote: Yeas, 25; Nays, 23; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Hobbs, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6288, having received the 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, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6087, by Senators Keiser, Conway, Das, Hasegawa, Hunt, Kuderer, Pedersen, Randall, Rolfes, Stanford, Saldaña, Wilson, C. and Sheldon

Imposing cost-sharing requirements for coverage of insulin products.

MOTION

On motion of Senator Keiser, Second Substitute Senate Bill No. 6087 was substituted for Senate Bill No. 6087 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Keiser moved that the following striking floor amendment no. 1091 by Senators Keiser and Cleveland 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) Except as required in subsection (2) of this section, a health plan issued or renewed on or after January 1, 2021, that provides coverage for prescription insulin drugs for the treatment of diabetes must cap the total amount that an enrollee is required to pay for a covered insulin drug at an amount not to exceed one hundred dollars per thirty-day supply of the drug. Prescription insulin drugs must be covered without being subject to a deductible, and any cost sharing paid by an enrollee must be applied toward the enrollee's deductible obligation. Beginning January 1, 2022, for every one hundred dollar increase in the cost of an insulin product for the health plan from the previous plan year, taking into account rebates and other price concessions, the health plan may submit a request to the office of the insurance commissioner, including proper documentation, to raise the cost-sharing amount for a thirty-day supply by five dollars.

(2) If the federal internal revenue service removes insulin from the list of preventive care services which can be covered by a qualifying health plan for a health savings account before the deductible is satisfied, for a health plan that provides coverage for prescription insulin drugs for the treatment of diabetes and is offered as a qualifying health plan for a health savings account, the carrier must establish the plan's cost sharing for the coverage of prescription insulin for diabetes at the minimum level necessary to preserve the enrollee's ability to claim tax exempt contributions from his or her health savings account under internal revenue service laws and regulations. The office of the insurance commissioner must provide written notice of the change in internal revenue service guidance 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 office.

(3) This section expires January 1, 2023.

NEW SECTION. Sec. 2. A new section is added to chapter 41.05 RCW to read as follows:

(1) Except as required in subsection (2) of this section, a health plan offered to public employees and their covered dependents under this chapter that is issued or renewed by the board on or after January 1, 2021, that provides coverage for prescription insulin drugs for the treatment of diabetes must cap the total

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

amount that an enrollee is required to pay for a covered insulin drug at an amount not to exceed one hundred dollars per thirty-day supply of the drug. Prescription insulin drugs must be covered without being subject to a deductible, and any cost sharing paid by an enrollee must be applied toward the enrollee's deductible obligation. Beginning January 1, 2022, for every one hundred dollar increase in the cost of an insulin product for the health plan from the previous plan year, taking into account rebates and other price concessions, the health plan may submit a request to the office of the insurance commissioner, including proper documentation, to raise the cost-sharing amount for a thirty-day supply by five dollars.

(2) If the federal internal revenue service removes insulin from the list of preventive care services which can be covered by a qualifying health plan for a health savings account before the deductible is satisfied, for a health plan that provides coverage for prescription insulin drugs for the treatment of diabetes and is offered as a qualifying health plan for a health savings account, the health plan offered under this chapter must establish the plan's cost sharing for the coverage of prescription insulin for diabetes at the minimum level necessary to preserve the enrollee's ability to claim tax exempt contributions from his or her health savings account under internal revenue service laws and regulations. The office of the insurance commissioner must provide written notice of the change in internal revenue service guidance 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 office.

(3) The authority must monitor the wholesale acquisition cost of all insulin products sold in the state.

(4) This section expires January 1, 2023.

Sec. 3. RCW 48.20.391 and 1997 c 276 s 2 are each amended to read as follows:

The legislature finds that diabetes imposes a significant health risk and tremendous financial burden on the citizens and government of the state of Washington, and that access to the medically accepted standards of care for diabetes, its treatment and supplies, and self-management training and education is crucial to prevent or delay the short and long-term complications of diabetes and its attendant costs.

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Person with diabetes" means a person diagnosed by a health care provider as having insulin using diabetes, noninsulin using diabetes, or elevated blood glucose levels induced by pregnancy; and

(b) "Health care provider" means a health care provider as defined in RCW 48.43.005.

(2) All disability insurance contracts providing health care services, delivered or issued for delivery in this state and issued or renewed after January 1, 1998, shall provide benefits for at least the following services and supplies for persons with diabetes:

(a) For disability insurance contracts that include pharmacy services, appropriate and medically necessary equipment and supplies, as prescribed by a health care provider, that includes but is not limited to insulin, syringes, injection aids, blood glucose monitors, test strips for blood glucose monitors, visual reading and urine test strips, insulin pumps and accessories to the pumps, insulin infusion devices, prescriptive oral agents for controlling blood sugar levels, foot care appliances for prevention of complications associated with diabetes, and glucagon emergency kits; and

(b) For all disability insurance contracts providing health care services, outpatient self-management training and education,

including medical nutrition therapy, as ordered by the health care provider. Diabetes outpatient self-management training and education may be provided only by health care providers with expertise in diabetes. Nothing in this section prevents the insurer from restricting patients to seeing only health care providers who have signed participating provider agreements with the insurer or an insuring entity under contract with the insurer.

(3) ~~((Coverage))~~ Except as provided in section 1 of this act, coverage required under this section may be subject to customary cost-sharing provisions established for all other similar services or supplies within a policy.

(4) Health care coverage may not be reduced or eliminated due to this section.

(5) Services required under this section shall be covered when deemed medically necessary by the medical director, or his or her designee, subject to any referral and formulary requirements.

(6) The insurer need not include the coverage required in this section in a group contract offered to an employer or other group that offers to its eligible enrollees a self-insured health plan not subject to mandated benefits status under this title that does not offer coverage similar to that mandated under this section.

(7) This section does not apply to the health benefit plan that provides benefits identical to the schedule of services covered by the basic health plan, as required by RCW 48.20.028.

Sec. 4. RCW 48.21.143 and 2004 c 244 s 10 are each amended to read as follows:

The legislature finds that diabetes imposes a significant health risk and tremendous financial burden on the citizens and government of the state of Washington, and that access to the medically accepted standards of care for diabetes, its treatment and supplies, and self-management training and education is crucial to prevent or delay the short and long-term complications of diabetes and its attendant costs.

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Person with diabetes" means a person diagnosed by a health care provider as having insulin using diabetes, noninsulin using diabetes, or elevated blood glucose levels induced by pregnancy; and

(b) "Health care provider" means a health care provider as defined in RCW 48.43.005.

(2) All group disability insurance contracts and blanket disability insurance contracts providing health care services, issued or renewed after January 1, 1998, shall provide benefits for at least the following services and supplies for persons with diabetes:

(a) For group disability insurance contracts and blanket disability insurance contracts that include coverage for pharmacy services, appropriate and medically necessary equipment and supplies, as prescribed by a health care provider, that includes but is not limited to insulin, syringes, injection aids, blood glucose monitors, test strips for blood glucose monitors, visual reading and urine test strips, insulin pumps and accessories to the pumps, insulin infusion devices, prescriptive oral agents for controlling blood sugar levels, foot care appliances for prevention of complications associated with diabetes, and glucagon emergency kits; and

(b) For all group disability insurance contracts and blanket disability insurance contracts providing health care services, outpatient self-management training and education, including medical nutrition therapy, as ordered by the health care provider. Diabetes outpatient self-management training and education may be provided only by health care providers with expertise in diabetes. Nothing in this section prevents the insurer from restricting patients to seeing only health care providers who have

signed participating provider agreements with the insurer or an insuring entity under contract with the insurer.

(3) ~~((Coverage))~~ Except as provided in section 1 of this act, coverage required under this section may be subject to customary cost-sharing provisions established for all other similar services or supplies within a policy.

(4) Health care coverage may not be reduced or eliminated due to this section.

(5) Services required under this section shall be covered when deemed medically necessary by the medical director, or his or her designee, subject to any referral and formulary requirements.

(6) The insurer need not include the coverage required in this section in a group contract offered to an employer or other group that offers to its eligible enrollees a self-insured health plan not subject to mandated benefits status under this title that does not offer coverage similar to that mandated under this section.

(7) This section does not apply to the health benefit plan that provides benefits identical to the schedule of services covered by the basic health plan.

Sec. 5. RCW 48.44.315 and 2004 c 244 s 12 are each amended to read as follows:

The legislature finds that diabetes imposes a significant health risk and tremendous financial burden on the citizens and government of the state of Washington, and that access to the medically accepted standards of care for diabetes, its treatment and supplies, and self-management training and education is crucial to prevent or delay the short and long-term complications of diabetes and its attendant costs.

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Person with diabetes" means a person diagnosed by a health care provider as having insulin using diabetes, noninsulin using diabetes, or elevated blood glucose levels induced by pregnancy; and

(b) "Health care provider" means a health care provider as defined in RCW 48.43.005.

(2) All health benefit plans offered by health care service contractors, issued or renewed after January 1, 1998, shall provide benefits for at least the following services and supplies for persons with diabetes:

(a) For health benefit plans that include coverage for pharmacy services, appropriate and medically necessary equipment and supplies, as prescribed by a health care provider, that includes but is not limited to insulin, syringes, injection aids, blood glucose monitors, test strips for blood glucose monitors, visual reading and urine test strips, insulin pumps and accessories to the pumps, insulin infusion devices, prescriptive oral agents for controlling blood sugar levels, foot care appliances for prevention of complications associated with diabetes, and glucagon emergency kits; and

(b) For all health benefit plans, outpatient self-management training and education, including medical nutrition therapy, as ordered by the health care provider. Diabetes outpatient self-management training and education may be provided only by health care providers with expertise in diabetes. Nothing in this section prevents the health care services contractor from restricting patients to seeing only health care providers who have signed participating provider agreements with the health care services contractor or an insuring entity under contract with the health care services contractor.

(3) ~~((Coverage))~~ Except as provided in section 1 of this act, coverage required under this section may be subject to customary cost-sharing provisions established for all other similar services or supplies within a policy.

(4) Health care coverage may not be reduced or eliminated due to this section.

(5) Services required under this section shall be covered when deemed medically necessary by the medical director, or his or her designee, subject to any referral and formulary requirements.

(6) The health care service contractor need not include the coverage required in this section in a group contract offered to an employer or other group that offers to its eligible enrollees a self-insured health plan not subject to mandated benefits status under this title that does not offer coverage similar to that mandated under this section.

(7) This section does not apply to the health benefit plans that provide benefits identical to the schedule of services covered by the basic health plan.

Sec. 6. RCW 48.46.272 and 2004 c 244 s 14 are each amended to read as follows:

The legislature finds that diabetes imposes a significant health risk and tremendous financial burden on the citizens and government of the state of Washington, and that access to the medically accepted standards of care for diabetes, its treatment and supplies, and self-management training and education is crucial to prevent or delay the short and long-term complications of diabetes and its attendant costs.

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Person with diabetes" means a person diagnosed by a health care provider as having insulin using diabetes, noninsulin using diabetes, or elevated blood glucose levels induced by pregnancy; and

(b) "Health care provider" means a health care provider as defined in RCW 48.43.005.

(2) All health benefit plans offered by health maintenance organizations, issued or renewed after January 1, 1998, shall provide benefits for at least the following services and supplies for persons with diabetes:

(a) For health benefit plans that include coverage for pharmacy services, appropriate and medically necessary equipment and supplies, as prescribed by a health care provider, that includes but is not limited to insulin, syringes, injection aids, blood glucose monitors, test strips for blood glucose monitors, visual reading and urine test strips, insulin pumps and accessories to the pumps, insulin infusion devices, prescriptive oral agents for controlling blood sugar levels, foot care appliances for prevention of complications associated with diabetes, and glucagon emergency kits; and

(b) For all health benefit plans, outpatient self-management training and education, including medical nutrition therapy, as ordered by the health care provider. Diabetes outpatient self-management training and education may be provided only by health care providers with expertise in diabetes. Nothing in this section prevents the health maintenance organization from restricting patients to seeing only health care providers who have signed participating provider agreements with the health maintenance organization or an insuring entity under contract with the health maintenance organization.

(3) ~~((Coverage))~~ Except as provided in section 1 of this act, coverage required under this section may be subject to customary cost-sharing provisions established for all other similar services or supplies within a policy.

(4) Health care coverage may not be reduced or eliminated due to this section.

(5) Services required under this section shall be covered when deemed medically necessary by the medical director, or his or her designee, subject to any referral and formulary requirements.

(6) The health maintenance organization need not include the coverage required in this section in a group contract offered to an employer or other group that offers to its eligible enrollees a self-insured health plan not subject to mandated benefits status under

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

this title that does not offer coverage similar to that mandated under this section.

(7) This section does not apply to the health benefit plans that provide benefits identical to the schedule of services covered by the basic health plan."

On page 1, line 2 of the title, after "products;" strike the remainder of the title and insert "amending RCW 48.20.391, 48.21.143, 48.44.315, and 48.46.272; adding a new section to chapter 48.43 RCW; adding a new section to chapter 41.05 RCW; and providing expiration dates."

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

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1091 by Senators Keiser and Cleveland to Second Substitute Senate Bill No. 6087.

The motion by Senator Keiser carried and striking floor amendment no. 1091 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6087 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and O'Ban spoke in favor of passage of the bill. Senators Becker and Rivers 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. 6087.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6087 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 14; Absent, 0; Excused, 1.

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

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

Excused: Senator Fortunato

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6087, having received the 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. 6113, by Senators Keiser, Das, Hasegawa, Hunt, Kuderer, Pedersen, Randall, Rolfes, Van De Wege, and Wilson, C.

Creating a central insulin purchasing program.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 6113 was substituted for Senate Bill No. 6113 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 6113 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.

Senators O'Ban, Walsh and Becker spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6113.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6113 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6113, having received the 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. 6663, by Senators Brown, Becker and Walsh

Studying dual diagnoses of eating disorder and diabetes mellitus type 1. Revised for 1st Substitute: Concerning dual diagnoses of eating disorder and diabetes mellitus type 1.

MOTIONS

On motion of Senator Brown, Substitute Senate Bill No. 6663 was substituted for Senate Bill No. 6663 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. 6663 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown 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. 6663.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6663 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6663, having received the 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, the Senate advanced to the seventh order of business.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5488, by Senate Committee on Human Services, Reentry & Rehabilitation (originally sponsored by Darneille, Saldaña, Wilson, C., Keiser and Nguyen)

Concerning the sentencing of persons under the age of twenty-one years at the time of the commission of a crime. Revised for 2nd Substitute: Modifying youth sentencing guidelines.

The bill was read on Third Reading.

MOTION

On motion of Senator Darneille, the rules were suspended and Substitute Senate Bill No. 5488 was returned to second reading for the purposes of amendment.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5488, by Senate Committee on Human Services, Reentry & Rehabilitation (originally sponsored by Darneille, Saldaña, Wilson, C., Keiser and Nguyen)

Concerning the sentencing of persons under the age of twenty-one years at the time of the commission of a crime.

MOTIONS

On motion of Senator Darneille, Second Substitute Senate Bill No. 5488 was substituted for Substitute Senate Bill No. 5488 and the second substitute bill was placed on the second reading and read the second time.

On motion of Senator Darneille, the rules were suspended, Second Substitute Senate Bill No. 5488 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille and Walsh spoke in favor of passage of the bill.

Senator Rivers 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. 5488.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5488 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 17; Absent, 0; Excused, 1.

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

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick and Wilson, L.

Excused: Senator Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 5488, having received the 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, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5533, by Senators Braun, Darneille and Zeiger

Concerning certificates of parental improvement. Revised for 4th Substitute: Certifying parental improvement.

MOTIONS

On motion of Senator Braun, Fourth Substitute Senate Bill No. 5533 was substituted for Senate Bill No. 5533 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Braun, the rules were suspended, Fourth Substitute Senate Bill No. 5533 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Darneille and Walsh spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Fourth Substitute Senate Bill No. 5533.

ROLL CALL

The Secretary called the roll on the final passage of Fourth Substitute Senate Bill No. 5533 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Wagoner

Excused: Senator Fortunato

FOURTH SUBSTITUTE SENATE BILL NO. 5533, having received the constitutional majority, was declared passed. There

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6638, by Senators Wilson, C., Lovelett, Randall, Nguyen, Das and Darneille

Providing reentry services.

MOTION

On motion of Senator Wilson, C., Substitute Senate Bill No. 6638 was substituted for Senate Bill No. 6638 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Wilson, C. moved that the following striking floor amendment no. 1105 by Senator Wilson, C. be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 7. (1) The legislature finds that it is critical to successful community reintegration and recovery for persons who are being released from prison, jail, juvenile rehabilitation, or other state institutions to have access to supportive services and for those who have behavioral health services needs to receive targeted assistance. This act employs multiple strategies to improve reentry services for these individuals. It provides for suspension of medicaid benefits to end before a person's release from custody so that medical assistance benefits can be made available immediately upon the person's release and so that authorized medicaid services can be provided before the person's release if the state receives a medicaid waiver. It creates a reentry services modality within the community behavioral health services act and directs the Washington state health care authority to apply for a section 1115 medicaid waiver so that the state can leverage federal funding to provide reentry services before the person's release. It provides persons applying for a conditional release under chapter 10.77 RCW with access to the same community support services available to persons receiving community services under a less restrictive alternative order under chapter 71.05 RCW. Finally, it removes stigmatizing language from the program created under RCW 72.09.370 and 71.24.470 and creates a work group to advise the state how to use strategies based on evidence-based, research-based, and promising practices to expand the provision of cost-effective reentry services to new populations.

(2) The legislature finds that the support for patients and communities act, H.R. 6 115th Cong. Sec. 271 (2018), provided federal recognition of the importance of providing transition services to persons who are soon to be former inmates of public institutions. This act requires the secretary of health and human services to issue a state medicaid director letter by October 2019 regarding opportunities for states to apply for a section 1115 waiver to improve care transitions by providing medicaid services up to thirty days before a person's expected release. This guidance has not yet been released. New York state and the District of Columbia have already submitted section 1115 waiver applications which remain pending in the year 2019 in anticipation of this opportunity.

Sec. 8. RCW 74.09.670 and 2016 c 154 s 2 are each amended to read as follows:

(1) 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 or other institution or facility. This must include the ability for a person to apply for medical assistance in suspense status during incarceration or civil commitment, 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.

(2) When a release date is scheduled for an individual whose medical assistance benefits are suspended under this section, the medical assistance benefits of a person may be restored up to ninety days prior to the person's release to facilitate reentry services, provided that no federal funds may be expended during this period for purposes not permitted by the state's agreements with the federal government.

(3) Starting January 1, 2022, the medical assistance benefits of a person that have been suspended under this section must be restored up to ninety days and not less than seven days prior to the person's scheduled release to facilitate reentry services, provided that no federal funds may be expended during this period for purposes not permitted by the state's agreements with the federal government.

(4) For the purpose of this section, "reentry services" has the same meaning as under RCW 71.24.025.

Sec. 9. RCW 71.24.025 and 2019 c 325 s 1004 and 2019 c 324 s 2 are each reenacted and amended to read as follows:

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) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(3) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program licensed or certified by the department as meeting standards adopted under this chapter.

(4) "Authority" means the Washington state health care authority.

(5) "Available resources" means funds appropriated for the purpose of providing community behavioral 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 behavioral health services. This does not include funds appropriated for the purpose of operating and administering the state psychiatric hospitals.

(6) "Behavioral health administrative services organization" means an entity contracted with the authority to administer behavioral health services and programs under RCW 71.24.381, including crisis services and administration of chapter 71.05

RCW, the involuntary treatment act, for all individuals in a defined regional service area.

(7) "Behavioral health provider" means a person licensed under chapter 18.57, 18.57A, 18.71, 18.71A, 18.83, 18.205, 18.225, or 18.79 RCW, as it applies to registered nurses and advanced registered nurse practitioners.

(8) "Behavioral health services" means mental health services as described in this chapter and chapter 71.36 RCW and substance use disorder treatment services as described in this chapter that, depending on the type of service, are provided by licensed or certified behavioral health agencies, behavioral health providers, or integrated into other health care providers.

(9) "Child" means a person under the age of eighteen years.

(10) "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 authority by rule consistent with Public Law 92-603, as amended.

(11) "Clubhouse" means a community-based program that provides rehabilitation services and is licensed or certified by the department.

(12) "Community behavioral health program" means all expenditures, services, activities, or programs, including reasonable administration and overhead, designed and conducted to prevent or treat substance use disorder, mental illness, or both in the community behavioral health system.

(13) "Community behavioral health service delivery system" means public, private, or tribal agencies that provide services specifically to persons with mental disorders, substance use disorders, or both, as defined under RCW 71.05.020 and receive funding from public sources.

(14) "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 or behaviorally 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 administrative services organizations.

(15) "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.

(16) "County authority" means the board of county commissioners, county council, or county executive having authority to establish a behavioral health administrative services organization, or two or more of the county authorities specified in

this subsection which have entered into an agreement to establish a behavioral health administrative services organization.

(17) "Department" means the department of health.

(18) "Designated crisis responder" has the same meaning as in RCW 71.05.020.

(19) "Director" means the director of the authority.

(20) "Drug addiction" means a disease characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(21) "Early adopter" means a regional service area for which all of the county authorities have requested that the authority purchase medical and behavioral health services through a managed care health system as defined under RCW 71.24.380(6).

(22) "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 (23) of this section.

(23) "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.

(24) "Indian health care provider" means a health care program operated by the Indian health service or by a tribe, tribal organization, or urban Indian organization as those terms are defined in the Indian health care improvement act (25 U.S.C. Sec. 1603).

(25) "Intensive behavioral health treatment facility" means a community-based specialized residential treatment facility for individuals with behavioral health conditions, including individuals discharging from or being diverted from state and local hospitals, whose impairment or behaviors do not meet, or no longer meet, criteria for involuntary inpatient commitment under chapter 71.05 RCW, but whose care needs cannot be met in other community-based placement settings.

(26) "Licensed or certified behavioral health agency" means:

(a) An entity licensed or certified according to this chapter or chapter 71.05 RCW;

(b) 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

(c) An entity with a tribal attestation that it meets state minimum standards for a licensed or certified behavioral health agency.

(27) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington.

(28) "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

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

less restrictive alternative treatment on the grounds of the state hospital.

(29) "Managed care organization" means an organization, having a certificate of authority or certificate of registration from the office of the insurance commissioner, that contracts with the authority under a comprehensive risk contract to provide prepaid health care services to enrollees under the authority's managed care programs under chapter 74.09 RCW.

(30) "Mental health peer respite center" means a peer-run program to serve individuals in need of voluntary, short-term, noncrisis services that focus on recovery and wellness.

(31) Mental health "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 of social and health services or the authority, by behavioral health administrative services organizations and their staffs, by managed care organizations and their staffs, or by treatment facilities. "Treatment records" do not include notes or records maintained for personal use by a person providing treatment services for the entities listed in this subsection, or a treatment facility if the notes or records are not available to others.

(32) "Mentally ill persons," "persons who are mentally ill," and "the mentally ill" mean persons and conditions defined in subsections (1), (10), (39), and (40) of this section.

(33) "Recovery" means a process of change through which individuals improve their health and wellness, live a self-directed life, and strive to reach their full potential.

(34) "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 (23) of this section but does not meet the full criteria for evidence-based.

(35) "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 administrative services organization or managed care 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, residential treatment facilities, 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.

(36) "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.

(37) "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 by a behavioral health administrative services organization or managed care 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 days 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 crisis responders, evaluation and treatment facilities, and others as determined by the behavioral health administrative services organization or managed care organization, as applicable.

(38) "Secretary" means the secretary of the department of health.

(39) "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.

(40) "Severely emotionally disturbed child" or "child who is severely emotionally disturbed" means a child who has been determined by the behavioral health administrative services organization or managed care organization, if applicable, 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.

(41) "State minimum standards" means minimum requirements established by rules adopted and necessary to implement this chapter by:

(a) The authority for:

(i) Delivery of mental health and substance use disorder services; and

(ii) Community support services and resource management services;

(b) The department of health for:

(i) Licensed or certified behavioral health agencies for the purpose of providing mental health or substance use disorder programs and services, or both;

(ii) Licensed behavioral health providers for the provision of mental health or substance use disorder services, or both; and

(iii) Residential services.

(42) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances.

(43) "Tribe," for the purposes of this section, means a federally recognized Indian tribe.

(44) "Reentry services" means targeted services to support community reintegration and recovery for a person with an identified behavioral health services need who is scheduled or expected to be released from a prison, jail, juvenile rehabilitation facility, state hospital, or other institution or facility within ninety days. "Reentry services" also means targeted services provided to such a person following release to support the person's recovery and stability in the community. "Reentry services" may include:

(a) Engagement, assessment, recovery support, and release planning provided up to ninety days prior to a scheduled or expected release provided by behavioral health clinicians, certified peer counselors, or both;

(b) Intensive case management, peer bridger services, or both provided during the period beginning immediately upon the person's release which may decrease in intensity over time depending on the specific needs of the individual;

(c) Coordination of mental health services, assistance with unfunded medical expenses, assistance obtaining substance use disorder treatment, housing, employment services, educational or vocational training, transportation, independent living skills, parenting education, anger management services, peer services, and such other services as the case manager deems necessary; and

(d) Provision of services under contract through the reentry community services program under RCW 72.09.370 and 71.24.470.

NEW SECTION. Sec. 10. (1) The health care authority shall, after the release of federal guidance, apply for a section 1115 medicaid waiver to provide reentry services as defined under RCW 71.24.025 through the state medicaid program to persons who are expecting to be released from a public institution and are otherwise eligible to receive medical assistance. The authority shall consult with the work group established under section 10 of this act about the details of the application and how to maximize support for Washington state reentry programs within the limitations of what the centers of medicare and medicaid services are likely to approve.

(2) In developing its application, the health care authority must explicitly consider how to best leverage the 1115 medicaid waiver application for the following purposes:

(a) To provide federal funding support for the state-only portions of the reentry community services program under RCW 72.09.370 and 71.24.470;

(b) To provide sustainable funding for cost-effective or cost-neutral reentry or diversion services provided by pilot programs funded by contempt fines in *Trueblood, et al., v. DSHS, et al.*, No. 15-35462; and

(c) To accommodate the special needs of persons in jail who tend to stay for short periods of time and not have access to a documented anticipated release date.

(3) The authority shall consider how evaluations of the reentry community services program created under RCW 72.09.370 and 71.24.470 conducted by the Washington state institute for public policy may be used to establish an evidence base for its waiver application demonstrating the potential for delivering cost-effective reentry services in the state of Washington.

(4) The health care authority shall update the governor and appropriate committees of the legislature in writing upon submission of its section 1115 medicaid waiver application, at the point at which such application obtains final approval or denial from the centers for medicaid and medicare services, and at other critical junctures at the discretion of the health care authority.

Sec. 11. RCW 71.24.385 and 2019 c 325 s 1023 and 2019 c 264 s 6 are each reenacted and amended to read as follows:

(1) Within funds appropriated by the legislature for this purpose, behavioral health administrative services organizations and managed care organizations, as applicable, shall develop the means to serve the needs of people:

(a) With mental disorders residing within the boundaries of their regional service area. Elements of the program may include:

(i) Crisis diversion services;

(ii) Evaluation and treatment and community hospital beds;

(iii) Residential treatment;

(iv) Programs for intensive community treatment;

(v) Outpatient services, including family support;

(vi) Peer support services;

(vii) Community support services;

(viii) Resource management services; ~~((and))~~

(ix) Reentry services; and

(x) Supported housing and supported employment services.

(b) With substance use disorders and their families, people incapacitated by alcohol or other psychoactive chemicals, and intoxicated people.

(i) Elements of the program shall include, but not necessarily be limited to, a continuum of substance use disorder treatment services that includes:

(A) Withdrawal management;

(B) Residential treatment; and

(C) Outpatient treatment.

(ii) The program may include peer support, supported housing, supported employment, crisis diversion, recovery support services, reentry services, or technology-based recovery supports.

(iii) The authority may contract for the use of an approved substance use disorder treatment program or other individual or organization if the director considers this to be an effective and economical course to follow.

(2)(a) The managed care organization and the behavioral health administrative services organization shall have the flexibility, within the funds appropriated by the legislature for this purpose and the terms of their contract, to design the mix of services that will be most effective within their service area of meeting the needs of people with behavioral health disorders and avoiding placement of such individuals at the state mental hospital. Managed care organizations and behavioral health administrative services organizations are encouraged to maximize the use of evidence-based practices and alternative resources with the goal of substantially reducing and potentially eliminating the use of institutions for mental diseases.

(b) Managed care organizations and behavioral health administrative services organizations may allow reimbursement to providers for services delivered through a partial hospitalization or intensive outpatient program. Such payment and services are distinct from the state's delivery of wraparound with intensive services under the *T.R. v. Strange and Birch* settlement agreement.

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

(3)(a) Treatment provided under this chapter must be purchased primarily through managed care contracts.

(b) Consistent with RCW 71.24.580, services and funding provided through the criminal justice treatment account are intended to be exempted from managed care contracting.

Sec. 12. RCW 10.77.150 and 2010 c 263 s 5 are each amended to read as follows:

(1) Persons examined pursuant to RCW 10.77.140 may make application to the secretary for conditional release. The secretary shall, after considering the reports of experts or professional persons conducting the examination pursuant to RCW 10.77.140, forward to the court of the county which ordered the person's commitment the person's application for conditional release as well as the secretary's recommendations concerning the application and any proposed terms and conditions upon which the secretary reasonably believes the person can be conditionally released. Conditional release may also contemplate partial release for work, training, or educational purposes.

(2) In instances in which persons examined pursuant to RCW 10.77.140 have not made application to the secretary for conditional release, but the secretary, after considering the reports of experts or professional persons conducting the examination pursuant to RCW 10.77.140, reasonably believes the person may be conditionally released, the secretary may submit a recommendation for release to the court of the county that ordered the person's commitment. The secretary's recommendation must include any proposed terms and conditions upon which the secretary reasonably believes the person may be conditionally released. Conditional release may also include partial release for work, training, or educational purposes. Notice of the secretary's recommendation under this subsection must be provided to the person for whom the secretary has made the recommendation for release and to his or her attorney.

(3)(a) The court of the county which ordered the person's commitment, upon receipt of an application or recommendation for conditional release with the secretary's recommendation for conditional release terms and conditions, shall within thirty days schedule a hearing. The court may schedule a hearing on applications recommended for disapproval by the secretary.

(b) The prosecuting attorney shall represent the state at such hearings and shall have the right to have the patient examined by an expert or professional person of the prosecuting attorney's choice. If the committed person is indigent, and he or she so requests, the court shall appoint a qualified expert or professional person to examine the person on his or her behalf.

(c) The issue to be determined at such a hearing is whether or not the person may be released conditionally without substantial danger to other persons, or substantial likelihood of committing criminal acts jeopardizing public safety or security.

(d) The court, after the hearing, shall rule on the secretary's recommendations, and if it disapproves of conditional release, may do so only on the basis of substantial evidence. The court may modify the suggested terms and conditions on which the person is to be conditionally released. Pursuant to the determination of the court after hearing, the committed person shall thereupon be released on such conditions as the court determines to be necessary, or shall be remitted to the custody of the secretary. If the order of conditional release includes a requirement for the committed person to report to a community corrections officer, the order shall also specify that the conditionally released person shall be under the supervision of the secretary of corrections or such person as the secretary of corrections may designate and shall follow explicitly the instructions of the secretary of corrections including reporting as directed to a community corrections officer, remaining within

prescribed geographical boundaries, and notifying the community corrections officer prior to making any change in the offender's address or employment. If the order of conditional release includes a requirement for the committed person to report to a community corrections officer, the community corrections officer shall notify the secretary or the secretary's designee, if the person is not in compliance with the court-ordered conditions of release.

(4) If the court determines that receiving regular or periodic medication or other medical treatment shall be a condition of the committed person's release, then the court shall require him or her to report to a physician or other medical or mental health practitioner for the medication or treatment. In addition to submitting any report required by RCW 10.77.160, the physician or other medical or mental health practitioner shall immediately upon the released person's failure to appear for the medication or treatment or upon a change in mental health condition that renders the patient a potential risk to the public report to the court, to the prosecuting attorney of the county in which the released person was committed, to the secretary, and to the supervising community corrections officer.

(5) Any person, whose application for conditional release has been denied, may reapply after a period of six months from the date of denial.

(6) A licensed or certified behavioral health agency as defined under RCW 71.24.025 that provides community behavioral health services to a person placed on conditional release under this section or agrees to provide such services upon the person's conditional release shall provide equivalent services to the person as it would provide to a person who is court ordered to receive less restrictive alternative treatment under RCW 71.05.585. A licensed or certified behavioral health agency must participate in reentry planning when a person is recommended for conditional release under this section and may provide reentry services as defined in RCW 71.24.025 in coordination with state hospital staff and the person's managed care organization, behavioral health administrative services organization, or private insurance carrier.

Sec. 13. RCW 72.09.370 and 2019 c 325 s 5025 are each amended to read as follows:

(1) The ~~((offender))~~ reentry community ~~((safety))~~ services program is established to provide intensive services to ~~((offenders))~~ incarcerated persons identified under this subsection and to thereby promote successful reentry, public safety, and recovery. The secretary shall identify ~~((offenders))~~ persons in confinement or partial confinement who: (a) Are reasonably believed to ~~((be dangerous))~~ present a danger to themselves or others if released to the community without supportive services; and (b) have a mental disorder. In determining ~~((an offender's dangerousness))~~ whether an incarcerated person may meet these criteria, the secretary shall consider behavior known to the department and factors, based on research, that are linked to ~~((an increased))~~ risk ~~((for))~~ of dangerousness ~~((of offenders))~~ for persons with mental illnesses who are involved with the criminal justice system and shall include consideration of ~~((an offender's))~~ the person's substance use disorder or history of substance abuse.

(2) Prior to release of ~~((an offender))~~ a person identified under this section, a team consisting of representatives of the department of corrections, the health care authority, and, as necessary, the indeterminate sentence review board, divisions or administrations within the department of social and health services, specifically including the division of developmental disabilities, the appropriate managed care organization ~~((contracted with the health care authority, the appropriate))~~ or behavioral health administrative services organization, and ~~((the))~~ reentry community services providers, as appropriate, shall

develop a plan, as determined necessary by the team, for delivery of treatment and support services to the ~~((offender))~~ incarcerated person upon release. In developing the plan, the ~~((offender))~~ person shall be offered assistance in executing a mental health advance directive under chapter 71.32 RCW, after being fully informed of the benefits, scope, and purposes of such directive. The team may include a school district representative for ~~((offenders))~~ incarcerated persons under the age of twenty-one. The team shall consult with the ~~((offender's))~~ person's counsel, if any, and, as appropriate, the ~~((offender's))~~ person's family and community. The team shall notify the crime victim/witness program, which shall provide notice to all people registered to receive notice under RCW 72.09.712 of the proposed release plan developed by the team. Victims, witnesses, and other interested people notified by the department may provide information and comments to the department on potential safety risk to specific individuals or classes of individuals posed by the specific ~~((offender))~~ incarcerated person. The team may recommend: (a) That the ~~((offender))~~ person be evaluated by ~~((the))~~ a designated crisis responder, as defined in chapter 71.05 RCW; (b) department-supervised community treatment; or (c) voluntary community mental health or substance use disorder or abuse treatment.

(3) Prior to release of an ~~((offender))~~ incarcerated person identified under this section, the team shall determine whether or not an evaluation by a designated crisis responder is needed. If an evaluation is recommended, the supporting documentation shall be immediately forwarded to the appropriate designated crisis responder. The supporting documentation shall include the ~~((offender's))~~ person's criminal history, history of judicially required or administratively ordered involuntary antipsychotic medication while in confinement, and any known history of involuntary civil commitment.

(4) If an evaluation by a designated crisis responder is recommended by the team, such evaluation shall occur not more than ten days, nor less than five days, prior to release.

(5) A second evaluation by a designated crisis responder shall occur on the day of release if requested by the team, based upon new information or a change in the ~~((offender's))~~ person's mental condition, and the initial evaluation did not result in an emergency detention or a summons under chapter 71.05 RCW.

(6) If the designated crisis responder determines an emergency detention under chapter 71.05 RCW is necessary, the department shall release the ~~((offender))~~ person only to a state hospital or to a consenting evaluation and treatment facility or secure withdrawal management and stabilization facility. The department shall arrange transportation of the ~~((offender))~~ person to the hospital or facility.

(7) If the designated crisis responder believes that a less restrictive alternative treatment is appropriate, he or she shall seek a summons, pursuant to the provisions of chapter 71.05 RCW, to require the ~~((offender))~~ person to appear at an evaluation and treatment facility or secure withdrawal management and stabilization facility. If a summons is issued, the ~~((offender))~~ person shall remain within the corrections facility until completion of his or her term of confinement and be transported, by corrections personnel on the day of completion, directly to the identified ~~((evaluation and treatment))~~ facility.

(8) The secretary shall adopt rules to implement this section.

Sec. 14. RCW 71.24.470 and 2019 c 325 s 1030 are each amended to read as follows:

(1) The director shall contract, to the extent that funds are appropriated for this purpose, for case management services and such other services as the director deems necessary to assist ~~((offenders))~~ incarcerated persons identified under RCW 72.09.370 for participation in the ~~((offender))~~ reentry community

~~((safety))~~ services program. The contracts may be with any qualified and appropriate entities.

(2) The case manager has the authority to assist these ~~((offenders))~~ individuals in obtaining the services, as set forth in the plan created under RCW 72.09.370(2), for up to five years. The services may include coordination of mental health services, assistance with unfunded medical expenses, assistance obtaining substance use disorder treatment, housing, employment services, educational or vocational training, independent living skills, parenting education, anger management services, peer services, and such other services as the case manager deems necessary.

(3) The legislature intends that funds appropriated for the purposes of RCW 72.09.370, 71.05.145, and 71.05.212, and this section are to supplement and not to supplant general funding. Funds appropriated to implement RCW 72.09.370, 71.05.145, and 71.05.212, and this section are not to be considered available resources as defined in RCW 71.24.025 and are not subject to the priorities, terms, or conditions in the appropriations act established pursuant to RCW 71.24.035.

(4) The ~~((offender))~~ reentry community ~~((safety))~~ services program was formerly known as the community integration assistance program.

Sec. 15. RCW 71.24.480 and 2019 c 325 s 1031 are each amended to read as follows:

(1) A licensed or certified behavioral health agency acting in the course of the ~~((provider's))~~ agency's duties under this chapter ~~((-is))~~ and its individual employees are not liable for civil damages resulting from the injury or death of another caused by a participant in the ~~((offender))~~ reentry community ~~((safety))~~ services program who is a client of the ~~((provider or organization))~~ agency, unless the act or omission of the ~~((provider or organization))~~ agency or employee constitutes:

(a) Gross negligence;

(b) Willful or wanton misconduct; or

(c) A breach of the duty to warn of and protect from a client's threatened violent behavior if the client has communicated a serious threat of physical violence against a reasonably ascertainable victim or victims.

(2) In addition to any other requirements to report violations, the licensed or certified behavioral health agency shall report ~~((an offender's))~~ a reentry community services program participant's expressions of intent to harm or other predatory behavior, regardless of whether there is an ascertainable victim, in progress reports and other established processes that enable courts and supervising entities to assess and address the progress and appropriateness of treatment.

(3) A licensed or certified behavioral health agency's mere act of treating a participant in the ~~((offender))~~ reentry community ~~((safety))~~ services program is not negligence. Nothing in this subsection alters the licensed or certified behavioral health agency's normal duty of care with regard to the client.

(4) The limited liability provided by this section applies only to the conduct of licensed or certified behavioral health agencies and their employees and does not apply to conduct of the state.

(5) For purposes of this section, "participant in the ~~((offender))~~ reentry community ~~((safety))~~ services program" means a person who has been identified under RCW 72.09.370 as ~~((an offender))~~ a person who: (a) Is reasonably believed to ~~((be dangerous))~~ present a danger to himself or herself or others if released to the community without supportive services; and (b) has a mental disorder.

NEW SECTION. Sec. 16. A new section is added to chapter 71.24 RCW to read as follows:

(1) The authority shall convene a reentry services work group to consider ways to improve reentry services for persons with an identified behavioral health services need. The work group shall:

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

(a) Advise the authority on its waiver application under section 4 of this act;

(b) Consider how to expand, replicate, or adapt the essential elements of the reentry community services program under RCW 72.09.370 and 71.24.470 while preserving those aspects most essential to stable reentry and recovery to provide reentry community services to:

(i) A larger set of persons incarcerated in prison including up to all persons releasing from prison who are reasonably believed to present either a high risk of violent recidivism, a high risk of nonviolent recidivism, or both in combination with a mental disorder or a substance use disorder, or other subsets of persons at the discretion of the work group;

(ii) Persons who are committed to a state hospital or long-term involuntary behavioral health treatment facility under chapter 10.77 RCW or RCW 71.05.280(3), who are reasonably believed to be ready for safe discharge to an appropriate community placement;

(iii) Persons expecting release from confinement under chapter 13.40 RCW;

(iv) Persons expecting release from confinement in jail; and/or

(v) Other populations recommended by the work group;

(c) Evaluate whether it would be better for administration of contracts for services under the reentry community services program remain at the state level or instead be administered by managed care organizations or behavioral health administrative services organizations;

(d) Identify the costs and savings that could be realized through expanding or replicating the reentry community services program as described under (b) of this subsection or through other means of providing reentry services;

(e) Evaluate the sustainability of promising reentry services or diversion services provided by pilot programs funded by contempt fines in *Trueblood, et al., v. DSHS, et al.*, No. 15-35462;

(f) Recommend means of funding and staffing expanded reentry services; and

(g) Consider how peer services can be incorporated into the reentry services programs.

(2) The authority shall invite participation in the work group by stakeholders including but not limited to representatives from: Disability rights Washington; behavioral health advocacy organizations; behavioral health peers; reentry community services providers; community behavioral health agencies; advocates for persons with developmental disabilities; the department of corrections; the department of children, youth, and families; the Washington association of sheriffs and police chiefs; prosecutors; defense attorneys; the Washington state association of counties; King county behavioral health and recovery division; the department of social and health services; state hospital employees who serve patients committed under chapters 10.77 and 71.05 RCW; the public safety review panel under RCW 10.77.270; managed care organizations; behavioral health administrative services organizations; the Washington statewide reentry council; the Washington state senate and house of representatives; and the Washington state institute for public policy.

(3) The work group must provide a progress report to the governor and appropriate committees of the legislature by December 1, 2020, and a final report by December 1, 2021.

NEW SECTION. Sec. 17. The Washington state health care authority shall revise its contracts with managed care organizations and behavioral health administrative services organizations to require those entities to ensure that providers that contract to provide services through the reentry community

services program under RCW 72.09.370 and 71.24.330 are available to their eligible clients in every regional service area.

NEW SECTION. Sec. 18. The Washington state institute for public policy shall update its previous evaluations of the reentry community services program under RCW 72.09.370 and 71.24.470, considering impacts on both recidivism and the use of public services. The institute shall collaborate with the work group established under section 10 of this act to determine research parameters and additional research questions that would support the work of the work group including, but not limited to, the potential cost, benefit, and risks to the state of expanding or replicating the reentry community services program; and what modifications to the program are most and least likely to prove advantageous based on the current state of knowledge about evidence-based, research-based, and promising programs. The department of corrections, health care authority, administrative office of the courts, King county, and department of social and health services must cooperate with the institute to facilitate access to data or other resources necessary to complete this work. The institute must provide a preliminary report by December 1, 2020, and a final report by November 1, 2021, to the governor and relevant committees of the legislature."

On page 1, line 2 of the title, after "institutions;" strike the remainder of the title and insert "amending RCW 74.09.670, 10.77.150, 72.09.370, 71.24.470, and 71.24.480; reenacting and amending RCW 71.24.025 and 71.24.385; adding a new section to chapter 71.24 RCW; and creating new sections."

MOTION

Senator Padden moved that the following floor amendment no. 1141 by Senator Padden be adopted:

On page 1, line 22, after "Finally, it", strike all material through "71.24.470 and" on page 1, line 24.

On page 16, starting at line 1, strike all of sections 7, 8, and 9 and insert the following:

"**Sec. 7.** RCW 72.09.370 and 2019 c 325 s 5025 are each amended to read as follows:

(1) The ~~((offender))~~ reentry community ~~((safety))~~ services program is established to provide intensive services to offenders identified under this subsection and to thereby promote successful reentry, public safety, and recovery. The secretary shall identify offenders in confinement or partial confinement who: (a) Are reasonably believed to ~~((be dangerous))~~ present a danger to themselves or others if released to the community without supportive services; and (b) have a mental disorder. In determining an offender's dangerousness, the secretary shall consider behavior known to the department and factors, based on research, that are linked to ~~((an increased))~~ risk ~~((for))~~ of dangerousness of offenders with mental illnesses who are involved with the criminal justice system and shall include consideration of an offender's substance use disorder or history of substance abuse.

(2) Prior to release of an offender identified under this section, a team consisting of representatives of the department of corrections, the health care authority, and, as necessary, the indeterminate sentence review board, divisions or administrations within the department of social and health services, specifically including the division of developmental disabilities, the appropriate managed care organization ~~((contracted with the health care authority, the appropriate))~~ or behavioral health administrative services organization, and the providers, as appropriate, shall develop a plan, as determined necessary by the team, for delivery of treatment and support services to the

offender upon release. In developing the plan, the offender shall be offered assistance in executing a mental health advance directive under chapter 71.32 RCW, after being fully informed of the benefits, scope, and purposes of such directive. The team may include a school district representative for ~~offenders~~ under the age of twenty-one. The team shall consult with the offender's counsel, if any, and, as appropriate, the offender's family and community. The team shall notify the crime victim/witness program, which shall provide notice to all people registered to receive notice under RCW 72.09.712 of the proposed release plan developed by the team. Victims, witnesses, and other interested people notified by the department may provide information and comments to the department on potential safety risk to specific individuals or classes of individuals posed by the specific offender. The team may recommend: (a) That the offender be evaluated by ~~(the)~~ a designated crisis responder, as defined in chapter 71.05 RCW; (b) department-supervised community treatment; or (c) voluntary community mental health or substance use disorder or abuse treatment.

(3) Prior to release of an offender identified under this section, the team shall determine whether or not an evaluation by a designated crisis responder is needed. If an evaluation is recommended, the supporting documentation shall be immediately forwarded to the appropriate designated crisis responder. The supporting documentation shall include the offender's criminal history, history of judicially required or administratively ordered involuntary antipsychotic medication while in confinement, and any known history of involuntary civil commitment.

(4) If an evaluation by a designated crisis responder is recommended by the team, such evaluation shall occur not more than ten days, nor less than five days, prior to release.

(5) A second evaluation by a designated crisis responder shall occur on the day of release if requested by the team, based upon new information or a change in the offender's mental condition, and the initial evaluation did not result in an emergency detention or a summons under chapter 71.05 RCW.

(6) If the designated crisis responder determines an emergency detention under chapter 71.05 RCW is necessary, the department shall release the offender only to a state hospital or to a consenting evaluation and treatment facility or secure withdrawal management and stabilization facility. The department shall arrange transportation of the offender to the hospital or facility.

(7) If the designated crisis responder believes that a less restrictive alternative treatment is appropriate, he or she shall seek a summons, pursuant to the provisions of chapter 71.05 RCW, to require the offender to appear at an evaluation and treatment facility or secure withdrawal management and stabilization facility. If a summons is issued, the offender shall remain within the corrections facility until completion of his or her term of confinement and be transported, by corrections personnel on the day of completion, directly to the identified ~~((evaluation and treatment))~~ facility.

(8) The secretary shall adopt rules to implement this section.

Sec. 8. RCW 71.24.470 and 2019 c 325 s 1030 are each amended to read as follows:

(1) The director shall contract, to the extent that funds are appropriated for this purpose, for case management services and such other services as the director deems necessary to assist offenders identified under RCW 72.09.370 for participation in the ~~((offender))~~ reentry community ~~((safety))~~ services program. The contracts may be with any qualified and appropriate entities.

(2) The case manager has the authority to assist these offenders in obtaining the services, as set forth in the plan created under RCW 72.09.370(2), for up to five years. The services may include coordination of mental health services, assistance with unfunded

medical expenses, assistance obtaining substance use disorder treatment, housing, employment services, educational or vocational training, independent living skills, parenting education, anger management services, peer services, and such other services as the case manager deems necessary.

(3) The legislature intends that funds appropriated for the purposes of RCW 72.09.370, 71.05.145, and 71.05.212, and this section are to supplement and not to supplant general funding. Funds appropriated to implement RCW 72.09.370, 71.05.145, and 71.05.212, and this section are not to be considered available resources as defined in RCW 71.24.025 and are not subject to the priorities, terms, or conditions in the appropriations act established pursuant to RCW 71.24.035.

(4) The ~~((offender))~~ reentry community ~~((safety))~~ services program was formerly known as the community integration assistance program.

Sec. 9. RCW 71.24.480 and 2019 c 325 s 1031 are each amended to read as follows:

(1) A licensed or certified behavioral health agency acting in the course of the ~~((providers))~~ agency's duties under this chapter ~~((is))~~ and its individual employees are not liable for civil damages resulting from the injury or death of another caused by a participant in the ~~((offender))~~ reentry community ~~((safety))~~ services program who is a client of the ~~((provider or organization))~~ agency, unless the act or omission of the ~~((provider or organization))~~ agency or employee constitutes:

(a) Gross negligence;

(b) Willful or wanton misconduct; or

(c) A breach of the duty to warn of and protect from a client's threatened violent behavior if the client has communicated a serious threat of physical violence against a reasonably ascertainable victim or victims.

(2) In addition to any other requirements to report violations, the licensed or certified behavioral health agency shall report an offender's expressions of intent to harm or other predatory behavior, regardless of whether there is an ascertainable victim, in progress reports and other established processes that enable courts and supervising entities to assess and address the progress and appropriateness of treatment.

(3) A licensed or certified behavioral health agency's mere act of treating a participant in the ~~((offender))~~ reentry community ~~((safety))~~ services program is not negligence. Nothing in this subsection alters the licensed or certified behavioral health agency's normal duty of care with regard to the client.

(4) The limited liability provided by this section applies only to the conduct of licensed or certified behavioral health agencies and their employees and does not apply to conduct of the state.

(5) For purposes of this section, "participant in the ~~((offender))~~ reentry community ~~((safety))~~ services program" means a person who has been identified under RCW 72.09.370 as an offender who: (a) Is reasonably believed to ~~((be dangerous))~~ present a danger to himself or herself or others if released to the community without supportive services; and (b) has a mental disorder."

Senators Padden, Walsh, Short, Sheldon and Wagoner spoke in favor of adoption of the amendment to the striking amendment.

Senator Wilson, C. spoke against adoption of the amendment to the striking amendment.

Senator Short 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 the amendment by Senator Padden on page 1, line 22 to striking floor amendment no. 1105.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Padden and the amendment was not adopted by the following vote: Yeas, 22; Nays, 26; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Wellman and Wilson, C.

Excused: Senator Fortunato.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1105 by Senator Wilson, C. to Substitute Senate Bill No. 6638.

The motion by Senator Wilson, C. carried and striking floor amendment no. 1105 was adopted by voice vote.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Engrossed Substitute Senate Bill No. 6638 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, C. 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. 6638.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6638 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 12; Absent, 0; Excused, 1.

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

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Padden, Sheldon, Short and Wilson, L.

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6638, having received the 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 6:34 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 7:28 p.m. by President Habib.

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Liias moved that Jeffery Estes, Senate Gubernatorial Appointment No. 9159, be confirmed as a member of the State Board of Education.

Senator Liias spoke in favor of the motion.

APPOINTMENT OF JEFFERY ESTES

The President declared the question before the Senate to be the confirmation of Jeffery Estes, Senate Gubernatorial Appointment No. 9159, as a member of the State Board of Education.

The Secretary called the roll on the confirmation of Jeffery Estes, Senate Gubernatorial Appointment No. 9159, as a member of the State Board of Education and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 2; Excused, 1.

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

Absent: Senators Becker and Ericksen

Excused: Senator Fortunato

Jeffery Estes, Senate Gubernatorial Appointment No. 9159, having received the constitutional majority was declared confirmed as a member of the State Board of Education.

MOTION

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

SECOND READING

SENATE BILL NO. 6115, by Senators Takko, Warnick, Hobbs, Van De Wege, Wilson, L. and Sheldon

Concerning off-road vehicle registrations.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, Senate Bill No. 6115 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator 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. 6115.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6115 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SENATE BILL NO. 6115, having received the 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. 6068, by Senators Warnick, Mullet, Wilson, L., Takko, Short, Liias and Honeyford

Concerning sales and use tax exemptions for large private airplanes.

MOTIONS

On motion of Senator Warnick, Substitute Senate Bill No. 6068 was substituted for Senate Bill No. 6068 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Warnick, the rules were suspended, Substitute Senate Bill No. 6068 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick 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. 6068.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6068 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Hasegawa

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6068, having received the 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 Lovelett, McCoy, Takko, Das, Hasegawa, Rolfes, Van De Wege, and Wilson, C.

Concerning the prevention of derelict vessels.

MOTIONS

On motion of Senator Lovelett, Second 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.

On motion of Senator Lovelett, the rules were suspended, Second 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 Lovelett and Warnick 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. 6528.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6528 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SECOND 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.

SECOND READING

SENATE BILL NO. 6501, by Senator Padden

Concerning the unlawful disposition of human remains. Revised for 1st Substitute: Concerning the disposition of human remains and cremation.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 6501 was substituted for Senate Bill No. 6501 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. 6501 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. 6501.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6501 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

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

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6501, having received the 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. 6417, by Senators Holy and Van De Wege

Allowing retirees to change their survivor option election after retirement.

The measure was read the second time.

MOTION

On motion of Senator Holy, the rules were suspended, Senate Bill No. 6417 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Holy 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. 6417.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6417 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

SENATE BILL NO. 6417, having received the 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. 6632, by Senator Takko

Providing additional funding for the business licensing service program administered by the department of revenue.

MOTIONS

On motion of Senator Takko, Substitute Senate Bill No. 6632 was substituted for Senate Bill No. 6632 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. 6632 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator 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. 6632.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6632 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Randall, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6632, having received the 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. 6478, by Senators Nguyen, Darneille, Stanford, Saldaña, Dhingra, Das and Hasegawa

Revising economic assistance programs.

MOTIONS

On motion of Senator Nguyen, Second Substitute Senate Bill No. 6478 was substituted for Senate Bill No. 6478 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Nguyen, the rules were suspended, Second Substitute Senate Bill No. 6478 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nguyen 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. 6478.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6478 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden,

Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick and Wilson, L.

Excused: Senator Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 6478, having received the 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. 6057, by Senators Stanford, Rivers, Wilson, C., Conway, King and Nguyen

Concerning price differentials in the sale of marijuana.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, Senate Bill No. 6057 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford 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. 6057.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6057 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Cleveland, Darneille, Das, Dhingra, Frockt, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, Pedersen, Randall, Rivers, Rolfes, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Walsh, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Carlyle, Conway, Ericksen, Hasegawa, Honeyford, O'Ban, Padden, Saldaña, Sheldon, Wagoner, Warnick and Zeiger

Excused: Senator Fortunato

SENATE BILL NO. 6057, having received the 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 Rivers, King and Stanford

Creating a certificate of compliance for marijuana business premises that meet the statutory qualifications at the time of application.

MOTIONS

On motion of Senator Rivers, 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.

On motion of Senator Rivers, the rules were suspended, 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 Rivers 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. 6206.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6206 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Schoesler, Short, Stanford, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Carlyle, Conway, Ericksen, Honeyford, Padden, Salomon, Sheldon and Van De Wege

Excused: Senator Fortunato

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. 6442, by Senators Saldaña, Wilson, C., Salomon, McCoy, Wellman, Stanford, Hasegawa, Kuderer, Pedersen, Nguyen, Frockt and Das

Concerning private detention facilities. Revised for 1st Substitute: Concerning the private detainment of individuals.

MOTION

On motion of Senator Saldaña, Substitute Senate Bill No. 6442 was substituted for Senate Bill No. 6442 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Saldaña moved that the following floor amendment no. 1109 by Senator Saldaña be adopted:

On page 1, line 8, after "prisons" strike "and detention facilities"

On page 1, line 14, after "prisons" strike "and detention facilities"

On page 1, line 21, after "prisons" strike "and detention facilities"

On page 2, line 2, after "prisons" strike "and detention facilities"

On page 2, beginning on line 20, after "prisons" strike all material through "facilities" on line 21

On page 2, line 28, after "prisons" strike "and detention facilities"

Beginning on page 2, line 30, strike all material through page 4, line 7

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

On page 7, beginning on line 28, strike all material through line 29

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

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

On page 8, line 1, after "CLAUSE." strike "Parts I and II of this act are" and insert "This act is"

On page 8, line 4, after "and" strike "take" and insert "takes"

On page 8, beginning on line 9, strike all of section 305

On page 1, at the beginning of line 4 of the title, strike "adding a new chapter to Title 70 RCW;"

Senator Saldaña spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1109 by Senator Saldaña on page 1, line 8 to Engrossed Substitute Senate Bill No. 6442.

The motion by Senator Saldaña carried and floor amendment no. 1109 was adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, Engrossed Substitute Senate Bill No. 6442 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.

POINT OF INQUIRY

Senator Walsh: "I was wondering if the ICE [Immigrations and Customs Enforcement] facility, is that what your amendment has done is taken that out?"

Senator Saldaña: "Yes, so what this amendment does, it takes out, we were looking to try to end the, any private prisons and for-profit prisons in the state of Washington. Regardless of whether it was one that we, as a state, were using or whether is, was a federal or local jurisdictions that were using it. At this point we have decided that the best way forward is to take care for what we as the state of Washington can take care of, which is particularly when we as a state are incarcerating. So, it does remove that piece that would address any federal detention centers at this point."

Senator Walsh 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. 6442.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6442 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Walsh, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson, L. and Zeiger

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6442, having received the 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. 6404, by Senators Frockt, O'Ban, Dhingra, Becker, Kuderer, Rivers, Lovelett, Wellman, Pedersen, Nguyen, Darneille, Hasegawa, McCoy, Wilson, C., Das, Conway and Saldaña

Adopting prior authorization and appropriate use criteria in patient care.

MOTION

On motion of Senator Frockt, Engrossed Substitute Senate Bill No. 6404 was substituted for Senate Bill No. 6404 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Frockt moved that the following striking floor amendment no. 1103 by Senator Frockt 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) By October 1, 2020, and annually thereafter, for individual and group health plans issued by a carrier that covers at least one percent of the covered lives in the state, the carrier shall report to the commissioner the following aggregated and deidentified data related to the carrier's prior authorization practices and experience for the prior plan year:

(a) Lists of the ten inpatient medical or surgical codes:

(i) With the highest total number of prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(ii) With the highest percentage of approved prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code; and

(iii) With the highest percentage of prior authorization requests that were initially denied and then subsequently approved on appeal, including the total number of prior authorization requests for each code and the percent of requests that were initially denied and then subsequently approved for each code;

(b) Lists of the ten outpatient medical or surgical codes:

(i) With the highest total number of prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(ii) With the highest percentage of approved prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code; and

(iii) With the highest percentage of prior authorization requests that were initially denied and then subsequently approved on appeal, including the total number of prior authorization requests for each code and the percent of requests that were initially denied and then subsequently approved for each code;

(c) Lists of the ten inpatient mental health and substance use disorder service codes:

(i) With the highest total number of prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(ii) With the highest percentage of approved prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(iii) With the highest percentage of prior authorization requests that were initially denied and then subsequently approved on appeal, including the total number of prior authorization requests for each code and the percent of requests that were initially denied and then subsequently approved for each code;

(d) Lists of the ten outpatient mental health and substance use disorder service codes:

(i) With the highest total number of prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(ii) With the highest percentage of approved prior authorization requests during the previous plan year, including the total number of prior authorization requests for each code and the percent of approved requests for each code;

(iii) With the highest percentage of prior authorization requests that were initially denied and then subsequently approved on appeal, including the total number of prior authorization requests for each code and the percent of requests that were initially denied and then subsequently approved;

(e) The average determination response time in hours for prior authorization requests to the plan with respect to each code listed in (a) through (d) of this subsection for each of the following categories of prior authorization:

(i) Expedited decisions;

(ii) Standard decisions; and

(iii) Extenuating circumstances decisions.

(2) The commissioner shall provide the data collected under subsection (1) of this section to the prior authorization work group. The data provided to the work group must be aggregated and deidentified, and may not identify the name of the carrier that submitted the data.

(3) In support of the prior authorization work group, the commissioner may request additional information from carriers reporting data under this section.

(4) The commissioner shall develop standardized reports of the aggregated and deidentified data submitted under subsection (1) of this section and make the reports available upon request to interested parties.

(5) The commissioner shall post recommendations from the prior authorization work group made under section 2 of this act on the commissioner's web site.

(6) The commissioner may adopt rules to implement this section. In adopting rules, the commissioner must consult stakeholders including carriers, health care practitioners, health care facilities, and patients.

(7) For the purpose of this section, "prior authorization" means a mandatory process that a carrier or its designated or contracted representative requires a provider or facility to follow before a service is delivered, to determine if a service is a benefit and meets the requirements for medical necessity, clinical appropriateness, level of care, or effectiveness in relation to the applicable plan, including any term used by a carrier or its designated or contracted representative to describe this process.

NEW SECTION. Sec. 2. A new section is added to chapter 70.250 RCW to read as follows:

(1)(a) The prior authorization work group is created to enhance the understanding and use of prior authorization in Washington

state. The prior authorization work group must be hosted and staffed by the collaborative.

(b) By September 1, 2020, the governor shall appoint fifteen members of the prior authorization work group to be comprised of representatives from health care providers, hospitals, clinics, carriers, the office of the insurance commissioner, and the health care authority. Except for the representative of the office of the insurance commissioner, all appointed representatives must be clinicians with at least fifty percent representing providers, hospitals, and clinics, and at least twenty-five percent representing carriers. One representative must be a behavioral health provider or from a behavioral health organization. The appointed members of the prior authorization work group shall select the work group chair.

(2)(a) By January 1, 2021, and annually thereafter, the prior authorization work group shall select and review not less than five medical or surgical services, which may include mental health and substance use disorder services, subject to prior authorization by insurance carriers. The prior authorization work group shall conduct its review and issue prior authorization recommendations by December 31st of the year in which the review began.

(b) The prior authorization work group shall establish subcommittees to focus on specific services selected for review. Each subcommittee must be comprised of practicing clinicians with expertise relevant to the specific medical or surgical service selected for review. Each subcommittee must include at least two members of the specialty or subspecialty society most experienced with the service identified for review. Subcommittee members are not required to be members of the prior authorization work group. Each subcommittee shall make recommendations to the prior authorization work group related to the recommendations in subsection (3) of this section.

(c) In 2021 the prior authorization work group shall review, as one of the services selected, noninvasive cardiac diagnostic imaging procedures.

(d) The prior authorization work group shall consider the prior authorization data collected in section 1 of this act and shall select and prioritize services for review based on the following criteria:

(i) The volume of the service as indicated by prior authorization requests;

(ii) Indications based on medical literature that prior authorization is not appropriate for a service;

(iii) The potential for negative impact on patient care caused by prior authorization delays; and

(iv) Input from health care providers, health care facilities, insurance carriers, and health insurance purchasers.

(3) For each service identified in subsection (2) of this section, the prior authorization work group shall assess the following areas and make corresponding recommendations:

(a) Whether the utilization and approval patterns and medical literature justify the use of a prior authorization requirement for the service. If not, the prior authorization work group shall recommend no prior authorization be required for the service;

(b) Whether adoption of uniform appropriate use criteria or evidence-based criteria confirmed through a clinical decision support mechanism for the service in lieu of prior authorization is appropriate. If so, the prior authorization work group shall identify and select appropriate criteria for the service. The prior authorization work group shall consider the availability and cost of the clinical decision support mechanisms and possible alternative methods of validation in its recommendation. If the work group recommends the use of appropriate use criteria, the work group shall recommend adoption of appropriate use criteria developed by a federally qualified provider-led entity pursuant to 42 C.F.R. 414.94 as it existed on February 1, 2020;

(c) Whether an appropriate federal policy or initiative exists for the service. Any recommendations by the prior authorization work group should align with criteria used for federal initiatives and approval mechanisms under the medicare program; and

(d) The prior authorization work group shall consider the services as provided to both adult and pediatric patients and when appropriate, provide separate recommendations regarding the service for adult and pediatric patients.

(4) The prior authorization work group shall review and make updates as necessary to the recommendations made pursuant to subsection (3) of this section based on evidence that a recommendation no longer reflects relevant evidence-based guidelines.

(5) Beginning December 1, 2021, the work group must annually report on its recommendations to the health care committees of the legislature.

(6) For purposes of this section:

(a) "Prior authorization" means a mandatory process that a carrier or its designated or contracted representative requires a provider or facility to follow before a service is delivered, to determine if a service is a benefit and meets requirements for medical necessity, clinical appropriateness, level of care, or effectiveness in relation to the applicable plan, including any term used by a carrier or its designated or contracted representative to describe this process.

(b) "Appropriate use criteria" means criteria developed or endorsed by a provider-led entity to assist health care practitioners in making the most appropriate treatment decision for a specific clinical condition for an individual. To the extent feasible, such criteria must be evidence-based.

(c) "Clinical decision support mechanism" means a tool for use by clinicians that communicates selected appropriate use criteria information to the user and assists clinicians in making the most appropriate treatment decision for a patient's specific clinical condition.

(d) "Qualified provider-led entity" means a professional medical specialty society or organization."

On page 1, line 3 of the title, after "criteria;" strike the remainder of the title and insert "adding a new section to chapter 48.43 RCW; and adding a new section to chapter 70.250 RCW."

MOTION

Senator Frockt moved that the following floor amendment no. 1139 by Senator Frockt be adopted:

On page 4, line 4, after "carriers," insert "a patient advocacy group,"

On page 4, line 5, after "representative of" insert "the patient advocacy group and"

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

POINT OF INQUIRY

Senator Schoesler: "Thank you Mr. President. What is a patient advocacy group and what would an example of one of those be?"

Senator Frockt: "The cancer, could be diabetes society, could be cancer society, could be blood disorder society, something of that nature. There are many dozens."

Senator Schoesler: "With so many, how could we choose?"

The President declared the question before the Senate to be the adoption of floor amendment no. 1139 by Senator Frockt on page 4, line 4 to striking floor amendment no. 1103.

The motion by Senator Frockt carried and floor amendment no. 1139 was adopted by voice vote.

MOTION

Senator O'Ban moved that the following floor amendment no. 1137 by Senator O'Ban be adopted:

On page 5, after line 4, insert the following:

"(e) Recommendations of the prior authorization work group require the affirmative vote of sixty percent of its members."

Senators O'Ban and Frockt 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 floor amendment no. 1137 by Senator O'Ban on page 5, line 4 to striking floor amendment no. 1103.

The motion by Senator O'Ban carried and floor amendment no. 1137 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1103 by Senator Frockt as amended to Substitute Senate Bill No. 6404.

The motion by Senator Frockt carried and striking floor amendment no. 1103 as amended was adopted by voice vote.

MOTION

On motion of Senator Frockt, the rules were suspended, Engrossed Substitute Senate Bill No. 6404 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frockt, O'Ban and Becker 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. 6404.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6404 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6404, having received the 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. 6574, by Senators Takko and Short

Clarifying the respective administrative powers, duties, and responsibilities of the growth management hearings board and the environmental land use and hearings office.

MOTION

On motion of Senator Takko, Substitute Senate Bill No. 6574 was substituted for Senate Bill No. 6574 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Short moved that the following floor amendment no. 1061 by Senators Short and Takko be adopted:

On page 2, line 36, after "board" insert "including making case assignments to board members in accordance with the board's rules of procedure in order to achieve a fair and balanced workload among all board members"

On page 3, beginning on line 34, after "unless the" strike "board ((~~administrative officer~~)) chair" and insert "((~~board administrative officer~~)) director of the environmental and land use hearings office"

On page 3, beginning on line 35, after "determines" strike "that there is an emergency including, but not limited to," and insert "((that there is an emergency including, but not limited to,)) otherwise due to caseload management determinations or"

On page 3, line 37, after "absence," insert "or"

On page 3, line 37, after "vacancy" strike ", or significant workload imbalance" and insert "((~~or significant workload imbalance~~))"

Senators Short and Takko spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1061 by Senators Short and Takko on page 2, line 36 to Substitute Senate Bill No. 6574.

The motion by Senator Short carried and floor amendment no. 1061 was adopted by voice vote.

MOTION

On motion of Senator Takko, the rules were suspended, Engrossed Substitute Senate Bill No. 6574 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short spoke in favor of passage of the bill. Senator Honeyford spoke against passage of the bill.

MOTION

On motion of Senator Rivers, Senator Sheldon was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6574.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6574 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 6; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett,

McCoy, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Ericksen, Hasegawa, Honeyford, Mullet, Padden and Schoesler

Excused: Senators Fortunato and Sheldon

ENGROSSED SUBSTITUTE SENATE BILL NO. 6574, having received the 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 JOINT MEMORIAL NO. 8017, by Senators Hasegawa, Hunt, Billig, Saldaña, Stanford, and Wilson, C.

Addressing compacts of free association.

MOTIONS

On motion of Senator Hasegawa, Substitute Senate Joint Memorial No. 8017 was substituted for Senate Joint Memorial No. 8017 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 Joint Memorial No. 8017 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hasegawa and Rivers spoke in favor of passage of the memorial.

The President declared the question before the Senate to be the final passage of Substitute Senate Joint Memorial No. 8017.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Joint Memorial No. 8017 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Fortunato and Sheldon

SUBSTITUTE SENATE JOINT MEMORIAL NO. 8017, having received the 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. 6095, by Senator Keiser

Excluding the common carrier licensees from the definition of retailer for the purposes of the three-tier system. Revised for 1st Substitute: Describing permissible common carrier activities under the three-tier system.

MOTION

On motion of Senator Keiser, Substitute Senate Bill No. 6095 was substituted for Senate Bill No. 6095 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Keiser moved that the following striking floor amendment no. 1143 by Senators Keiser and King be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 66.28.310 and 2019 c 149 s 1 are each amended to read as follows:

(1)(a) Nothing in RCW 66.28.305 prohibits an industry member from providing retailers, including common carriers licensed under RCW 66.24.395, branded promotional items which are of nominal value, singly or in the aggregate. Such items include but are not limited to: Trays, lighters, blotters, postcards, pencils, coasters, menu cards, meal checks, napkins, clocks, mugs, glasses, bottles or can openers, corkscrews, matches, printed recipes, shirts, hats, visors, and other similar items. Branded promotional items:

(i) Must be used exclusively by the retailer, including common carriers licensed under RCW 66.24.395, or its employees in a manner consistent with its license;

(ii) Must bear imprinted advertising matter of the industry member only, except imprinted advertising matter of the industry member can include the logo of a professional sports team which the industry member is licensed to use;

(iii) May be provided by industry members (~~only~~) to: (A) Common carriers licensed under RCW 66.24.395 for use by their employees or ticketed passengers; or (B) retailers, other than common carriers licensed under RCW 66.24.395, and their employees and may not be provided by or through retailers or their employees to retail customers; and

(iv) May not be targeted to or appeal principally to youth.

(b) An industry member is not obligated to provide any such branded promotional items, and a retailer, including common carriers licensed under RCW 66.24.395, may not require an industry member to provide such branded promotional items as a condition for selling any alcohol to the retailer, including common carriers licensed under RCW 66.24.395.

(c) Any industry member or retailer or any other person asserting that the provision of branded promotional items as allowed in (a) of this subsection has resulted or is more likely than not to result in undue influence or an adverse impact on public health and safety, or is otherwise inconsistent with the criteria in (a) of this subsection may file a complaint with the board. Upon receipt of a complaint the board may conduct such investigation as it deems appropriate in the circumstances. If the investigation reveals the provision of branded promotional items has resulted in or is more likely than not to result in undue influence or has resulted or is more likely than not to result in an adverse impact on public health and safety or is otherwise inconsistent with (a) of this subsection the board may issue an administrative violation notice to the industry member, to the retailer, or both. The recipient of the administrative violation notice may request a hearing under chapter 34.05 RCW.

(2) Nothing in RCW 66.28.305 prohibits:

(a) An industry member from providing to a special occasion licensee and a special occasion licensee from receiving services for:

(i) Installation of draft beer dispensing equipment or advertising;

(ii) Advertising, pouring, or dispensing of beer or wine at a beer or wine tasting exhibition or judging event; or

(iii) Pouring or dispensing of spirits by a licensed domestic distiller or the accredited representative of a distiller, manufacturer, importer, or distributor of spirituous liquor licensed under RCW 66.24.310; or

(b) Special occasion licensees from paying for beer, wine, or spirits immediately following the end of the special occasion event; or

(c) Wineries, breweries, or distilleries that are participating in a special occasion event from paying reasonable booth fees to the special occasion licensee.

(3) Nothing in RCW 66.28.305 prohibits industry members from performing, and retailers from accepting the service of building, rotating, and restocking displays and stockroom inventories; rotating and rearranging can and bottle displays of their own products; providing point of sale material and brand signs; pricing case goods of their own brands; and performing such similar business services consistent with board rules, or personal services as described in subsection (5) of this section.

(4) Nothing in RCW 66.28.305 prohibits:

(a) Industry members from listing on their internet web sites information related to retailers who sell or promote their products, including direct links to the retailers' internet web sites;

(b) Retailers from listing on their internet web sites information related to industry members whose products those retailers sell or promote, including direct links to the industry members' web sites;

(c) Manufacturers, distributors, or their licensed representatives from using web sites or social media accounts in their name to post, repost, or share promotional information or images about events featuring a product of the manufacturer's own production or a product sold by the distributor, held at an on-premises licensed liquor retailer's location or a licensed special occasion event. The promotional information may include links to purchase event tickets. Manufacturers, distributors, or their licensed representatives may not pay a third party to enhance viewership of a specific post. Industry members, or their licensed representatives, are not obligated to post, repost, or share information or images on a web site or on social media. A licensed liquor retailer may not require an industry member or their licensed representative to post, repost, or share information or images on a web site or on social media as a condition for selling any alcohol to the retailer or participating in a retailer's event; or

(d) Industry members and retailers from producing, jointly or together with regional, state, or local industry associations, brochures and materials promoting tourism in Washington state which contain information regarding retail licensees, industry members, and their products.

(5) Nothing in RCW 66.28.305 prohibits the performance of personal services offered from time to time by a domestic winery or certificate of approval holder to retailers, including common carriers licensed under RCW 66.24.395, when the personal services are (a) conducted at a licensed premises, and (b) intended to inform, educate, or enhance customers' knowledge or experience of the manufacturer's products. The performance of personal services may include participation and pouring, bottle signing events, and other similar informational or educational activities at the premises of a retailer holding a spirits, beer, and wine restaurant license, a wine and/or beer restaurant license, a specialty wine shop license, a special occasion license, a grocery store license with a tasting endorsement, a common carrier license under RCW 66.24.395, or a private club license. A domestic winery or certificate of approval holder is not obligated to perform any such personal services, and a retail licensee,

including common carrier licensees under RCW 66.24.395, may not require a domestic winery or certificate of approval holder to conduct any personal service as a condition for selling any alcohol to the retail licensee, or as a condition for including any product of the domestic winery or certificate of approval holder in any tasting conducted by the licensee. Except as provided in RCW 66.28.150, the cost of sampling may not be borne, directly or indirectly, by any domestic winery or certificate of approval holder or any distributor. Nothing in this section prohibits wineries, breweries, microbreweries, certificate of approval holders, and retail licensees from identifying the producers on private labels authorized under RCW 66.24.400, 66.24.425, 66.24.450, 66.24.360, and 66.24.371.

(6) Nothing in RCW 66.28.305 prohibits an industry member from entering into an arrangement with any holder of a sports entertainment facility license or an affiliated business for brand advertising at the licensed facility or promoting events held at the sports entertainment facility as authorized under RCW 66.24.570.

(7) Nothing in RCW 66.28.305 prohibits the performance of personal services offered from time to time by a domestic brewery, microbrewery, or beer certificate of approval holder to grocery store licensees with a tasting endorsement, or common carrier licensees under RCW 66.24.395, when the personal services are (a) conducted at a licensed premises in conjunction with a tasting event, and (b) intended to inform, educate, or enhance customers' knowledge or experience of the manufacturer's products. The performance of personal services may include participation and pouring, bottle signing events, and other similar informational or educational activities. A domestic brewery, microbrewery, or beer certificate of approval holder is not obligated to perform any such personal services, and a grocery store licensee may not require the performance of any personal service as a condition for including any product in any tasting conducted by the licensee.

(8) Nothing in RCW 66.28.305 prohibits an arrangement between a domestic winery and a restaurant licensed under RCW 66.24.320 or 66.24.400 to waive a corkage fee.

(9) Nothing in this section prohibits professional sports teams who hold a retail liquor license or their agents from accepting bona fide liquor advertising from manufacturers, importers, distributors, or their agents for use in the sporting arena. Professional sports teams who hold a retail liquor license or their agents may license the manufacturer, importer, distributor, or their agents to use the name and trademarks of the professional sports team in their advertising and promotions, under the following conditions:

(a) Such advertising must be paid for by said manufacturer, importer, distributor, or their agent at the published advertising rate or at a reasonable fair market value.

(b) Such advertising may carry with it no express or implied offer on the part of the manufacturer, importer, distributor, or their agent, or promise on the part of the retail licensee whose operation is directly or indirectly part of the sporting arena, to stock or list any particular brand of liquor to the total or partial exclusion of any other brand.

(10) Nothing in RCW 66.28.305 prohibits a licensed domestic brewery or microbrewery from providing branded promotional items which are of nominal value, singly or in the aggregate, to a nonprofit charitable corporation or association exempt from taxation under 26 U.S.C. Sec. 501(c)(3) of the internal revenue code as it existed on July 24, 2015, for use consistent with the purpose or purposes entitling it to such exemption.

(11) Nothing in RCW 66.28.305 prohibits a common carrier licensed under RCW 66.24.395 from:

(a) Transporting liquor without charge or at a discounted rate when the liquor was purchased by a ticketed passenger and is not intended to be sold for resale;

(b) Displaying or distributing information about an industry member, provided the industry member did not pay the common carrier to have the information displayed or distributed;

(c) Sponsoring any public or private event including those hosted by or otherwise affiliated with an industry member;

(d) Engaging in joint promotional activities with an industry member, provided the industry member does not pay the common carrier or a third party to participate in the joint promotional activity and any branded promotional items provided by the industry member are of nominal value;

(e) Accepting payment from an industry member for advertising, provided:

(i) The advertising appears in a publication produced and distributed to passengers of the common carrier;

(ii) The amount of the payment is consistent with the advertising rates paid by other advertisers purchasing similar advertisements in the same publication; and

(iii) The payment is not used as an inducement to purchase the products of the industry member paying for the advertising nor does it result in the exclusion of products of other industry members.

(12) Nothing in RCW 66.28.305 prohibits an industry member, subject to the requirements of its license, from entering into an agreement to provide tastings with or without charge to passengers of a common carrier holding a license under RCW 66.24.395.

Sec. 2. RCW 66.24.395 and 1997 c 321 s 25 are each amended to read as follows:

(1)(a) There shall be a license that may be issued to corporations, associations, or persons operating as federally licensed commercial common passenger carriers engaged in interstate commerce, in or over territorial limits of the state of Washington on passenger trains, vessels, or airplanes. Such license shall permit the sale of spirituous liquor, wine, and beer at retail for passenger consumption within the state upon one such train passenger car, vessel, or airplane, while in or over the territorial limits of the state. Such license shall include the privilege of transporting into and storing within the state such liquor for subsequent retail sale to passengers in passenger train cars, vessels or airplanes. The fees for such master license shall be seven hundred fifty dollars per annum (class CCI-1): PROVIDED, That upon payment of an additional sum of five dollars per annum per car, or vessel, or airplane, the privileges authorized by such license classes shall extend to additional cars, or vessels, or airplanes operated by the same licensee within the state, and a duplicate license for each additional car, or vessel, or airplane shall be issued: PROVIDED, FURTHER, That such licensee may make such sales and/or service upon cars, or vessels, or airplanes in emergency for not more than five consecutive days without such license: AND PROVIDED, FURTHER, That such license shall be valid only while such cars, or vessels, or airplanes are actively operated as common carriers for hire in interstate commerce and not while they are out of such common carrier service.

(b) Alcoholic beverages sold and/or served for consumption by such interstate common carriers while within or over the territorial limits of this state shall be subject to such board markup and state liquor taxes in an amount to approximate the revenue that would have been realized from such markup and taxes had the alcoholic beverages been purchased in Washington: PROVIDED, That the board's markup shall be applied on spirituous liquor only. Such common carriers shall report such

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

sales and/or service and pay such markup and taxes in accordance with procedures prescribed by the board.

(2) Alcoholic beverages sold and delivered in this state to interstate common carriers for use under the provisions of this section shall be considered exported from the state, subject to the conditions provided in subsection (1)(b) of this section. Interstate common carriers licensed under this section may purchase alcoholic beverages outside the territorial limits of the state of Washington and import such alcoholic beverages into the state of Washington for sales and service aboard passenger trains, vessels, or airplanes. The storage facilities for liquor within the state by common carriers licensed under this section shall be subject to written approval by the board.

(3) Interstate common carriers licensed under this section may provide complimentary alcoholic beverages to passengers aboard passenger trains, vessels, or airplanes."

On page 1, line 2 of the title, after "system;" strike the remainder of the title and insert "and amending RCW 66.28.310 and 66.24.395."

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 striking floor amendment no. 1143 by Senators Keiser and King to Substitute Senate Bill No. 6095.

The motion by Senator Keiser carried and striking floor amendment no. 1143 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 6095 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser, King and Walsh 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. 6095.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6095 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Fortunato and Sheldon

ENGROSSED SUBSTITUTE SENATE BILL NO. 6095, having received the 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 Hunt, Kuderer, Wilson, C. and Sheldon

Requiring local ballot measure statement committee members to be registered voters in the jurisdiction voting on the measure.

The measure was read the second time.

MOTION

Senator Hunt moved that the following floor amendment no. 1047 by Senator Hunt be adopted:

On page 1, at the beginning of line 19, after "the" strike "area" and insert "jurisdiction"

Senator Hunt spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1047 by Senator Hunt on page 1, line 19 to Senate Bill No. 6238.

The motion by Senator Hunt carried and floor amendment no. 1047 was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed Senate Bill No. 6238 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Zeiger 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. 6238.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6238 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 5; Absent, 0; Excused, 2.

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

Voting nay: Senators Erickson, Honeyford, O'Ban, Padden and Short

Excused: Senators Fortunato and Sheldon

ENGROSSED 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.

SECOND READING

SENATE BILL NO. 6286, by Senators Frockt, Pedersen and Mullet

Permitting athlete agents to provide some benefits to student athletes.

The measure was read the second time.

MOTION

On motion of Senator Frockt, the rules were suspended, Senate Bill No. 6286 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Frockt 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. 6286.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6286 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

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

Voting nay: Senators Honeyford and Short

Excused: Senators Fortunato and Sheldon

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.

SECOND READING

SENATE BILL NO. 5679, by Senators Hasegawa, Conway and Darneille

Concerning the mitigation of public facilities in certain cities.

MOTIONS

On motion of Senator Hasegawa, Substitute Senate Bill No. 5679 was substituted for Senate Bill No. 5679 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. 5679 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hasegawa, King, Short 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. 5679.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5679 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Fortunato and Sheldon

SUBSTITUTE SENATE BILL NO. 5679, having received the 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 Senators Dhingra, Padden, Nguyen, Das and Hasegawa

Concerning drug offender sentencing.

MOTIONS

On motion of Senator Dhingra, Second 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 Dhingra, the rules were suspended, Second 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 Dhingra and Padden 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. 6211.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6211 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Fortunato and Sheldon

SECOND 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. 5867, by Senators Zeiger, Pedersen, Nguyen, Darneille, Ericksen, Walsh and Kuderer

Resentencing of persons convicted of drug offenses.

MOTIONS

On motion of Senator Zeiger, Substitute Senate Bill No. 5867 was substituted for Senate Bill No. 5867 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Zeiger, the rules were suspended, Substitute Senate Bill No. 5867 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Zeiger and Pedersen spoke in favor of passage of the bill.

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5867.

On page 1, line 2 of the title, after "liaison", insert "adding a new section;"

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5867 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Senator Randall spoke in favor of adoption of the amendment. The President declared the question before the Senate to be the adoption of floor amendment no. 1149 by Senators Conway and Randall on page 2, after line 12 to Senate Bill No. 6626.

The motion by Senator Randall carried and floor amendment no. 1149 was adopted by voice vote.

Excused: Senators Fortunato and Sheldon

MOTION

SUBSTITUTE SENATE BILL NO. 5867, having received the 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 Randall moved that the following floor amendment no. 1150 by Senators Conway and Randall be adopted:

On page 2, after line 12, insert the following:

Sec. 2. RCW 43.70.250 and 2019 c 415 s 966 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. Any and all fees or assessments, or both, levied on the state to cover the costs of the operations and activities of the interstate health professions licensure compacts with participating authorities listed under chapter 18.130 RCW shall be borne by the persons who hold licenses issued pursuant to the authority and procedures established under the compacts. All spouses or state-registered domestic partners of service members of any branch of the United States armed forces, national guard, or armed forces reserves shall have application fees, license fees, and any other fees associated with licensing waived 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 during the 2019-2021 fiscal biennium, nor may he or she commence the adoption of rules to increase a licensing fee during the 2019-2021 fiscal biennium.

(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.

On page 1, line 2 of the title, after "liaison", insert "; and amending RCW 43.70.250"

SECOND READING

SENATE BILL NO. 6626, by Senators Conway, O'Ban, Hunt, Zeiger, Hobbs, Becker, Randall, Short, Brown and Wagoner

Creating the position of military spouse liaison.

The measure was read the second time.

MOTION

Senator Randall moved that the following floor amendment no. 1149 by Senators Conway and Randall be adopted:

On page 2, after line 12, insert the following:

NEW SECTION. Sec. 2. (1) The nursing care quality assurance commission shall work with the national council of state boards of nursing and the national licensure compact administrators to develop a plan and timeline to address elements of the nurse licensure compact that currently fail to address concerns regarding:

(a) The financing mechanisms of the interstate compact and how state licensing fees from a multistate license are spent by the compact's governing authority;

(b) What educational and continuing education criteria an applicant must meet to receive a multistate licensure through the nurse licensure compact, especially when a state legislature has determined certain topics to be necessary and therefore required for nurses or all health care professionals;

(c) How the national council for the state boards of nursing and the national licensure compact administrators ensure their applicants and licensees understand what practice rules apply when practicing outside the home state;

(d) How the national council for the state boards of nursing and the national licensure compact administrators track where multistate licensees are practicing; and

(e) What data the interstate national council for the state boards of nursing and the national licensure compact administrators can provide to show that interstate compacts are increasing access to care, helping with health profession shortages in certain states, and improving protection of the public.

(2) The nursing care quality assurance commission shall report to the legislature on progress on the above topics by December 1, 2021.

Senator Randall spoke in favor of adoption of the amendment. The President declared the question before the Senate to be the adoption of floor amendment no. 1150 by Senators Conway and Randall on page 2, after line 12 to Senate Bill No. 6626.

The motion by Senator Randall carried and floor amendment no. 1150 was adopted by voice vote.

MOTION

On motion of Senator Conway, the rules were suspended, Engrossed Senate Bill No. 6626 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway and Zeiger 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. 6626.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6626 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Fortunato and Sheldon

ENGROSSED 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

SENATE BILL NO. 6190, by Senators Braun, Keiser and Kuderer

Preserving the developmental disabilities community trust.

MOTION

On motion of Senator Braun, Substitute Senate Bill No. 6190 was substituted for Senate Bill No. 6190 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hasegawa moved that the following floor amendment no. 972 by Senator Hasegawa be adopted:

On page 2, line 3, after "lease" strike "or sale"

On page 2, line 4, after "easements," strike "or"

On page 2, beginning on line 4, after "timber" strike "~~((or other activities short of sale of the property))~~" and insert ", or other activities short of sale of the property ("

On page 2, line 6, after "aet)." insert "The sale of public property is prohibited for the purposes of funding the developmental disabilities community trust."

On page 2, line 6, after "lease" strike "or sale"

On page 2, line 15, after "sale" strike "property or"

Senator Hasegawa spoke in favor of adoption of the amendment.

Senators Braun and Cleveland spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 972 by Senator Hasegawa on page 2, line 3 to Substitute Senate Bill No. 6190.

The motion by Senator Hasegawa did not carry and floor amendment no. 972 was not adopted by voice vote.

MOTION

On motion of Senator Braun, the rules were suspended, Substitute Senate Bill No. 6190 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Keiser 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. 6190.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6190 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 1; Absent, 1; Excused, 2.

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

Voting nay: Senator Hasegawa

Absent: Senator McCoy

Excused: Senators Fortunato and Sheldon

SUBSTITUTE SENATE BILL NO. 6190, having received the 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. 6183, by Senators Hunt, Conway, Kuderer, and Wilson, C.

Allowing service and overseas voters to use the common access card as a digital signature for proof of identity on certain election materials.

MOTIONS

On motion of Senator Hunt, Substitute Senate Bill No. 6183 was substituted for Senate Bill No. 6183 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hunt, the rules were suspended, Substitute Senate Bill No. 6183 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Zeiger spoke in favor of passage of the bill.

MOTION

On motion of Senator Mullet, Senator McCoy was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6183.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6183 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt,

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato, McCoy and Sheldon

SUBSTITUTE SENATE BILL NO. 6183, having received the 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 Takko, Wagoner, Saldaña, Conway and Sheldon

Modifying the requirements for collector vehicle registrations.

MOTION

On motion of Senator Takko, Substitute Senate Bill No. 6156 was substituted for Senate Bill No. 6156 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Takko moved that the following floor amendment no. 1098 by Senator Takko be adopted:

On page 2, line 34, after "annually," insert "except for personalized collector vehicle license plates."

On page 5, line 8, after "registrations" insert "on or"

On page 5, line 20, after "registrations" insert "on or"

Senators Takko and King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1098 by Senator Takko on page 2, line 34 to Substitute Senate Bill No. 6156.

The motion by Senator Takko carried and floor amendment no. 1098 was adopted by voice vote.

MOTION

Senator King moved that the following floor amendment no. 1154 by Senator King be adopted:

On page 3, line 20, strike "\$100.00", and insert "\$70.00"

Senator King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1154 by Senator King on page 3, line 20 to Substitute Senate Bill No. 6156.

The motion by Senator King carried and floor amendment no. 1154 was adopted by a rising vote.

MOTION

Senator Honeyford moved that the following floor amendment no. 1148 by Senators Honeyford and Sheldon be adopted:

On page 5, line 10, after "at least", strike "forty", and insert "thirty"

On page 5, line 22, after "at least", strike "forty", and insert "thirty"

Senator Honeyford spoke in favor of adoption of the amendment.

Senator Hobbs spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1148 by Senators Honeyford and Sheldon on page 5, line 10 to Substitute Senate Bill No. 6156.

The motion by Senator Honeyford did not carry and floor amendment no. 1148 was not adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator King and without objection, floor amendment no. 1063 by Senator King on page 6, line 33 to Substitute Senate Bill No. 6156 was withdrawn.

MOTION

Senator King moved that the following floor amendment no. 1153 by Senators King and Takko be adopted:

On page 6, line 33, after "department" insert "for initial applications pay the applicable fees in RCW 46.17.005 and 46.17.040 and for renewals pay the applicable fees as specified in this subsection (5)."

(a)(i) If the renewal transaction is conducted by the county auditor, the county auditor shall collect a service fee of five dollars for the registration renewal that will be retained by the county auditor;

(ii) If the renewal transaction is conducted by a subagent appointed by the director, the subagent shall collect a service fee of five dollars for the registration renewal that will be retained by the subagent; and

(iii) The service fee for a registration renewal does not apply to a transaction that is conducted on-line"

Senator King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1153 by Senators King and Takko on page 6, line 33 to Substitute Senate Bill No. 6156.

The motion by Senator King carried and floor amendment no. 1153 was adopted by voice vote.

MOTION

On motion of Senator Takko, the rules were suspended, Engrossed Substitute Senate Bill No. 6156 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.

Senators Conway, Honeyford and Ericksen 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. 6156.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6156 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 19; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser,

King, Kuderer, Liias, Lovelett, Mullet, Nguyen, Pedersen, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wagoner, Wellman and Wilson, C.

Voting nay: Senators Becker, Brown, Conway, Ericksen, Hawkins, Holy, Honeyford, Muzzall, O'Ban, Padden, Randall, Rivers, Rolfes, Schoesler, Short, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Fortunato, McCoy and Sheldon

ENGROSSED SUBSTITUTE 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. 6551, by Senators Stanford, Saldaña, Darneille, Dhingra, Frockt, Hasegawa, and Wilson, C.

Integrating international medical graduates into Washington's health care delivery system.

The measure was read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Becker and without objection, striking floor amendment no. 1110 by Senators Becker and Keiser to Senate Bill No. 6551 was withdrawn.

MOTION

On motion of Senator Stanford, the rules were suspended, Senate Bill No. 6551 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford, Saldaña and Hasegawa spoke in favor of passage of the bill.

Senator Becker spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6551.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6551 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 19; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Fortunato, McCoy and Sheldon

SENATE BILL NO. 6551, having received the 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 Frockt: "Thank you. I just wanted to see if the body could thank the interns who have stayed here late tonight. They kind of drew the short end of the stick and are helping us out tonight, so thank you."

REMARKS BY THE PRESIDENT

President Habib: "But we could also convince ourselves that they are having the times of their lives, I mean this is, this is, this is high drama."

The senate recognized the university and college interns participating in the senate's Civic Education Program who volunteered to provide paging services to the senate during the evening's debate.

SECOND READING

SENATE BILL NO. 5789, by Senators Liias, Nguyen, Saldaña, and Wilson, C.

Establishing additional uses for automated traffic safety cameras for traffic congestion reduction and increased safety.

MOTION

On motion of Senator Liias, Substitute Senate Bill No. 5789 was substituted for Senate Bill No. 5789 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hasegawa moved that the following floor amendment no. 1151 by Senator Hasegawa be adopted:

On page 7, line 12, after "(6).", insert "However, the notice of infraction may provide the registered owner of the vehicle the option of a waiver of the infraction if the owner of the vehicle completes a demographic and transit service survey. The waiver option is only available to the first notice of infraction issued to the registered owner under the pilot project. The demographic and transit service survey must be created by the city after consultation with transit service providers. The purpose of the survey is to determine why the individual did not use transit, to capture socioeconomic demographic data on the individual, the individual's trip origin and destination, and other pertinent information related to transportation choices and options available to persons traveling into the city."

On page 7, line 13, strike "However" and insert "Further"

Senators Hasegawa and Liias spoke in favor of adoption of the amendment.

Senator King spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1151 by Senator Hasegawa on page 7, line 12 to Substitute Senate Bill No. 5789.

The motion by Senator Hasegawa did not carry and floor amendment no. 1151 was not adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 5789 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and Salomon spoke in favor of passage of the bill.

THIRTY SEVENTH DAY, FEBRUARY 18, 2020

2020 REGULAR SESSION

Senator King spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5789.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5789 and the bill passed the Senate by the following vote: Yeas, 25; Nays, 21; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Short, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, L. and Zeiger

Excused: Senators Fortunato, McCoy and Sheldon

SUBSTITUTE SENATE BILL NO. 5789, having received the 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 10:42 p.m., on motion of Senator Liias, the Senate adjourned until 9:00 o'clock a.m. Wednesday, February 19, 2020.

Senator Becker announced a meeting of the Republican Caucus immediately upon adjournment.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

THIRTY EIGHTH DAY**MORNING SESSION**

Senate Chamber, Olympia
Wednesday, February 19, 2020

The Senate was called to order at 9:03 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Fortunato.

The Sergeant at Arms Color Guard consisting of Pages Miss Clara Blakeslee and Miss Chloe Lee, presented the Colors. Page Mr. Alexander Olson led the Senate in the Pledge of Allegiance. The prayer was offered by Minister Malando Redeemer of Shiloh Baptist Church, Tacoma.

MOTION

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

MOTION

On motion of Senator Liias, 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.

MOTION TO LIMIT DEBATE

Pursuant to Rule 29, on motion of Senator Liias 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 Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

2SHB 1182 by House Committee on Appropriations (originally sponsored by Santos, Steele, Dolan, Ortiz-Self and Slatter)

AN ACT Relating to modifying the learning assistance program to balance local control and state accountability by making the allowable uses of program funds more flexible and requiring that the expenditure of funds be consistent with the Washington integrated student supports protocol; amending RCW 28A.165.055, 28A.165.005, 28A.165.035, 28A.165.035, 28A.165.100, 28A.165.065, 28A.300.139, 28A.320.190, and 28A.710.280; adding a new section to chapter 28A.630 RCW; creating new sections; providing an effective date; and providing expiration dates.

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

2SHB 1191 by House Committee on Education (originally sponsored by Goodman and Frame)

AN ACT Relating to school notifications; amending RCW 28A.320.128, 9A.44.138, 13.04.155, 13.40.215, 28A.225.330, and 72.09.730; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.195 RCW; adding a new section to chapter 28A.710 RCW; and adding a new section to chapter 42.56 RCW.

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

2SHB 1645 by House Committee on Human Services & Early Learning (originally sponsored by Ortiz-Self, Frame, Gregerson, Valdez, Jinkins, Davis, Santos and Morgan)

AN ACT Relating to certificates of parental improvement; amending RCW 74.13.700, 74.13.020, 43.43.832, 74.39A.056, 43.20A.710, and 43.216.010; reenacting and amending RCW 43.216.270; adding new sections to chapter 74.13 RCW; adding a new section to chapter 18.20 RCW; adding a new section to chapter 18.51 RCW; and providing an effective date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

2SHB 1651 by House Committee on Human Services & Early Learning (originally sponsored by Kilduff, Dent, Lovick, Eslick, Senn, Leavitt, Macri, Callan, Cody, Tarleton, Ortiz-Self, Goodman, Jinkins, Frame, Bergquist and Santos)

AN ACT Relating to the rights of clients of the developmental disabilities administration of the department of social and health services; and adding a new chapter to Title 71A RCW.

Referred to Committee on Health & Long Term Care.

HB 2110 by Representatives Ryu and Santos

AN ACT Relating to modifying the definition of affordable workforce housing for the purposes of permitted lodging tax revenue expenditures; and amending RCW 67.28.180.

Referred to Committee on Housing Stability & Affordability.

HB 2259 by Representatives Rude, Leavitt and Thai

AN ACT Relating to the office of the superintendent of public instruction's authority to conduct criminal background checks; and amending RCW 28A.400.303.

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

SHB 2308 by House Committee on Appropriations (originally sponsored by Slatter, Tharinger, Wylie and Appleton)

AN ACT Relating to requiring employers to periodically report standard occupational classifications or job titles of

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

workers; amending RCW 50.12.070 and 50.12.220; creating new sections; and providing an effective date.

Referred to Committee on Environment, Energy & Technology.

Referred to Committee on Labor & Commerce.

SHB 2338 by House Committee on Health Care & Wellness (originally sponsored by Macri, Thai, Wylie, Doglio, Cody and Pollet)
AN ACT Relating to prohibiting discrimination in health care coverage; and amending RCW 41.05.600, 48.20.580, 48.21.241, 48.41.220, 48.44.341, 48.46.291, 70.47.200, 48.30.300, and 48.43.0128.

2SHB 2457 by House Committee on Appropriations (originally sponsored by Cody, Kloba, Robinson, Schmick, Tharinger, Macri, Pollet and Wylie)
AN ACT Relating to the establishment of a board for the evaluation and containment of health care expenditures; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health & Long Term Care.

Referred to Committee on Health & Long Term Care.

HB 2458 by Representatives Stonier, Sells, Dolan, Schmick, Boehnke, Bergquist, Vick, Pollet and Wylie
AN ACT Relating to optional benefits offered by school districts; amending RCW 28A.400.280; and creating a new section.

Referred to Committee on Ways & Means.

SHB 2359 by House Committee on Commerce & Gaming (originally sponsored by Vick and Wylie)
AN ACT Relating to creating a certificate of compliance for marijuana business premises that meet the statutory qualifications at the time of application; and amending RCW 69.50.331.

SHB 2464 by House Committee on Health Care & Wellness (originally sponsored by Gildon and Young)
AN ACT Relating to protecting patients from excess charges for prescription medications; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Labor & Commerce.

Referred to Committee on Health & Long Term Care.

SHB 2384 by House Committee on Finance (originally sponsored by Doglio, Ramel, Tarleton, Macri, Kloba and Gregerson)
AN ACT Relating to the property tax exemption for nonprofit organizations providing rental housing or mobile home park spaces to qualifying households; amending RCW 84.36.560 and 84.36.815; and creating a new section.

SHB 2498 by House Committee on Appropriations (originally sponsored by Corry, Blake, Walsh, Mosbrucker, Chandler, Hoff, Dye, Graham, Davis, Dent, Dufault, Van Werven, Maycumber, Rude, Ybarra, Lekanoff, Eslick and Leavitt)
AN ACT Relating to providing compensation to department of natural resources lessees whose leases are terminated for reasons other than default; and amending RCW 79.13.420.

Referred to Committee on Housing Stability & Affordability.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 2390 by Representatives Kilduff, Goodman, Klippert, Leavitt, Thai, Dufault, Macri, Senn and Hudgins
AN ACT Relating to using respectful language regarding individuals with developmental disabilities; amending RCW 7.68.020, 18.59.040, 20.01.330, 26.33.350, 26.40.010, 26.40.020, 26.40.030, 26.44.015, 27.04.045, 28B.07.010, 35.58.240, 35.68.075, 35.86A.010, 35.86A.070, 35.92.060, 35.95A.050, 36.57.040, 36.57A.090, 39.23.005, 41.05.095, 43.20A.635, 43.24.090, 43.31.512, 43.63A.670, 43.216.720, 43.220.070, 46.72.010, 47.04.170, 48.20.420, 48.21.150, 48.30.300, 48.30.320, 48.41.140, 48.44.200, 48.44.210, 48.44.220, 48.46.320, 48.46.370, 49.12.110, 49.74.005, 50.12.210, 51.08.030, 57.08.014, 70.82.010, 70.82.030, 70.84.010, 70.84.080, 71A.10.040, 71A.12.010, 71A.12.020, 72.05.010, 72.05.130, 72.60.235, 72.64.150, 72.70.010, 74.04.515, 74.12.290, 74.13.310, 74.13A.085, 74.18.045, 74.26.010, 79.105.210, 82.80.030, and 84.36.350; and reenacting and amending RCW 43.180.070, 66.24.425, 71.34.020, 74.13.031, 74.13A.020, and 82.04.385.

2SHB 2513 by House Committee on Appropriations (originally sponsored by Slatter, Leavitt, Ortiz-Self, Valdez, Bergquist, Davis, J. Johnson, Pollet, Goodman, Lekanoff, Ormsby and Riccelli)
AN ACT Relating to prohibiting the practice of transcript withholding and limiting the practice of registration holds at institutions of higher education as debt collection practices; amending RCW 28B.10.293; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Human Services, Reentry & Rehabilitation.

Referred to Committee on Higher Education & Workforce Development.

HB 2396 by Representatives Hudgins, Tarleton and Wylie
AN ACT Relating to the regulation of bot communication on public-facing internet web sites; adding a new section to chapter 42.17A RCW; adding a new chapter to Title 19 RCW; and providing an effective date.

SHB 2554 by House Committee on Health Care & Wellness (originally sponsored by Stonier, Cody, Macri, Riccelli, Robinson, Tharinger, Senn, Peterson, Valdez, Davis, Doglio, Dolan, Fitzgibbon, Walen, Frame, Ramel, Pollet, Ryu, Goodman, Lekanoff, Ormsby and Chapman)
AN ACT Relating to mitigating inequity in the health insurance market caused by health plans that exclude certain mandated benefits; adding a new section to chapter 48.43 RCW; and adding a new section to chapter 43.71 RCW.

Referred to Committee on Health & Long Term Care.

SHB 2567 by House Committee on Civil Rights & Judiciary (originally sponsored by Thai, Santos, Ryu, Valdez, Pollet, Davis, Wylie, Gregerson, Slatter, Lekanoff, Ortiz-Self, Frame, Mead and Kloba)
AN ACT Relating to the courts open to all act; adding new sections to chapter 2.28 RCW; adding a new section to chapter 3.02 RCW; adding a new section to chapter 35.20 RCW; and creating new sections.

Referred to Committee on Law & Justice.

SHB 2634 by House Committee on Finance (originally sponsored by Walen, Barkis, Stokesbary, Macri, Chapman, Gildon, Chopp, Robinson, Senn, Leavitt and Tharinger)
AN ACT Relating to exempting a sale or transfer of real property for affordable housing to a nonprofit entity, housing authority, or public corporation from the real estate excise tax; amending RCW 82.45.010; reenacting and amending RCW 82.45.010; creating new sections; providing effective dates; and providing an expiration date.

Referred to Committee on Housing Stability & Affordability.

SHB 2673 by House Committee on Environment & Energy (originally sponsored by Barkis, Griffey, Gildon, Steele, Ybarra, Smith, Chambers, Boehnke, Hoff, Vick, Eslick, Volz, Graham, Jenkin, Klippert, Van Werven, Tharinger and Dufault)
AN ACT Relating to exemptions for infill development under the state environmental policy act; and amending RCW 43.21C.229.

Referred to Committee on Housing Stability & Affordability.

HB 2710 by Representatives Robinson, Tarleton, Cody, Tharinger and Ormsby
AN ACT Relating to modifying the uses, disclosure, and requirement dates of prescription drug price transparency data; and amending RCW 43.71C.020, 43.71C.030, 43.71C.040, 43.71C.050, 43.71C.060, 43.71C.070, 43.71C.080, and 43.71C.100.

Referred to Committee on Health & Long Term Care.

HB 2739 by Representatives Kloba, Stonier, Appleton, Davis and Duerr
AN ACT Relating to adjusting certain requirements of the shared leave program; and amending RCW 41.04.665.

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

SHB 2789 by House Committee on Public Safety (originally sponsored by Lovick, Klippert, Davis, Orwall, Valdez, Kilduff, J. Johnson, Ryu, Peterson, Ramel, Pollet, Young and Frame)
AN ACT Relating to collecting information regarding police use of deadly force; and adding new sections to chapter 36.28A RCW.

Referred to Committee on Law & Justice.

2SHB 2793 by House Committee on Appropriations (originally sponsored by Hansen and Irwin)
AN ACT Relating to vacating criminal records; reenacting and amending RCW 9.96.060; adding a new chapter to Title 10 RCW; and creating a new section.

Referred to Committee on Law & Justice.

MOTIONS

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

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

MOTION

Senator Hasegawa moved adoption of the following resolution:

SENATE RESOLUTION 8678

By Senators Hasegawa, Hobbs, Brown, Billig, Darneille, Muzzall, Nguyen, Wagoner, Conway, and Wilson, L.

WHEREAS, On February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066, which authorized the United States 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

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 report to hastily constructed detention centers like Camp Harmony on the grounds of the Washington State fair in Puyallup; and

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

WHEREAS, On March 23, 1943, the War Department organized a segregated unit of Japanese Americans, many of whom reported for military duty from the concentration camps surrounded by barbed wire in which they and their families were detained; and

WHEREAS, More than 12,000 volunteers responded to questions about their loyalty and patriotism by amassing a battle record unparalleled in United States military history with 7 Presidential Unit Citations, 21 Medals of Honor, 29 Distinguished Service Crosses, 1 Distinguished Service Medal, 588 Silver Stars, more than 4,000 Bronze Stars, 22 Legion of Merit Medals, 145 Soldier's Medals, 9,486 Purple Hearts, 16 decorations from France and Italy, and, in 2010, the Congressional Gold Medal; and

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

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

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

ancestry, but determined the cause of the incarceration as "racial prejudice, war hysteria, and a failure of political leadership"; and

WHEREAS, Through 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

WHEREAS, In 1979, Washington State Congressman Mike Lowry introduced H.R. 5977 to provide reparations and an apology to the Japanese American incarcerated, thus initiating a ten-year legislative quest that ended when President Ronald Reagan signed the Civil Liberties Act of 1988; and

WHEREAS, Throughout Washington State, the last remaining survivors of the European and Asian Pacific battlefields of World War II and of American incarceration camps live their golden years in quiet contrast to their extraordinary acts of conscience and valor while all of America continues to benefit from their heroic patriotism;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate pause to acknowledge the seventy-eighth anniversary of the signing of Executive Order 9066; to recognize and remember Japanese American veterans, incarcerated, and civil rights activists from the State of Washington, and to honor 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, Densho, the Japanese American Citizens League, the Japanese Cultural and Community Center of Washington State, and the Wing Luke Museum of the Asian Pacific American Experience.

Senators Hasegawa, King, Hobbs, Zeiger, Liias, Brown and Conway spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8678.

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

MOTION

At 9:32 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

AFTERNOON SESSION

The Senate was called to order at 11:17 a.m. by President Habib.

MOTION

Pursuant to Rule 18, on motion of Senator Liias, Senate Bill No. 5400 providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1, was named a special order to be considered at 4:55 p.m.

MOTION

On motion of Senator Liias, the Senate reverted to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Cleveland moved that Roy D. Jennings, Gubernatorial Appointment No. 9306, be confirmed as a member of the Transportation Commission.

Senators Cleveland and King spoke in favor of passage of the motion.

APPOINTMENT OF ROY D. JENNINGS

MOTION

On motion of Senator Rivers, Senator Fortunato was excused.

The President declared the question before the Senate to be the confirmation of Roy D. Jennings, Gubernatorial Appointment No. 9306, as a member of the Transportation Commission.

The Secretary called the roll on the confirmation of Roy D. Jennings, Gubernatorial Appointment No. 9306, as a member of the Transportation Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

Roy D. Jennings, Gubernatorial Appointment No. 9306, having received the constitutional majority was declared confirmed as a member of the Transportation Commission.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6117, by Senators Wellman, Dhingra, Hunt, Kuderer, Pedersen, Saldaña, and Wilson, C.

Concerning appropriations for special education programs. Revised for 2nd Substitute: Concerning special education.

MOTION

On motion of Senator Wellman, Second 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.

MOTION

Senator Short moved that the following floor amendment no. 1142 by Senator Short be adopted:

On page 2, line 19, after "If" insert "a school district has one thousand or more enrolled students, and"

Senator Short spoke in favor of adoption of the amendment.
Senator Wellman spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1142 by Senator Short on page 2, line 19 to Second Substitute Senate Bill No. 6117.

The motion by Senator Short did not carry and floor amendment no. 1142 was not adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Second 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 Wellman, Braun and Walsh 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. 6117.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6117 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yeas: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

SECOND 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. 6189, by Senators Wellman, Mullet, Pedersen, Zeiger, Kuderer, Das, Short, and Wilson, C.

Clarifying eligibility for school employees' benefits board coverage. Revised for 1st Substitute: Concerning eligibility for school employees' benefits board coverage.

MOTION

On motion of Senator Wellman, Substitute Senate Bill No. 6189 was substituted for Senate Bill No. 6189 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Mullet moved that the following striking floor amendment no. 1095 by Senators Mullet and Wellman be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The joint legislative audit and review committee shall conduct a study to identify the number and types of part-time school district employees and their eligibility for benefits through the school employees' benefits board. The office of the superintendent of public instruction and the health care authority shall assist in providing any data requested by the joint legislative audit and review committee to conduct the study. The study will seek to identify:

(a) The categories and number of employees who worked full-time and less than full-time during the 2018-19 and 2019-20 school years, including ranges of hours worked, how many of those employees were eligible for employer support for benefits each year, and the amount of employer support provided for benefits. The study must summarize the data by major job category, such as substitute teacher, educational staff associate, paraprofessional, bus driver, principal, vice principal, and any other major job categories identified during the review;

(b) The number of certificated and classified employees eligible for school employees' benefits board benefits beginning January 1, 2020, and the number who waived medical coverage by district;

(c) The number of certificated and classified school employee benefit units, including estimated benefit units attributable to pupil transportation and special education, funded in the state budget for school employees' benefits board benefits by district.

(2) The joint legislative audit and review committee shall submit the review to the appropriate committees of the legislature by September 1, 2021. The review shall include recommendations for continued and regular data collection that should be incorporated into the superintendent of public instruction's and the health care authority's regular data and reporting systems.

(3) This section expires January 1, 2022.

NEW SECTION. Sec. 2. (1) The health care authority shall conduct an analysis of the impacts of changes to the requirement that school employers remit premiums for employees that waive medical coverage under RCW 41.05.050(4)(d). The analysis shall consider the estimated impacts to the projected future funding rates and the estimated amount billed to each school district based on the following:

(a) A variable rate for employees waiving medical coverage and that are covered under dental, vision, long-term life and disability, and any other benefits not waived;

(b) A policy allowing members to waive coverage for some or all of the employer paid benefits;

(c) Any other options considered by the authority or as recommended by the school employees' benefits board.

(2) The analysis is due to the relevant fiscal committees of the legislature by September 1, 2021.

(3) This section expires June 30, 2022.

Sec. 3. RCW 28A.300.615 and 2016 c 233 s 8 are each amended 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 hours worked by each substitute teacher(~~hired under RCW 28A.410.252 per school year~~);

(c) The number of substitute teachers that received benefits under the school employees' benefits board;

(~~d~~) The full daily compensation rate per substitute teacher; and

(~~e~~) 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.

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

NEW SECTION. Sec. 4. A new section is added to chapter 41.05 RCW to read as follows:

Beginning with the 2022 plan year, individuals are limited to a single enrollment in medical, dental, and vision plans among school employees' benefits board and public employees' benefits board plans. However, individuals may be enrolled in both public employees' benefits board and school employees' benefits board plans as long as those enrollments are across different types of plans, such as medical, dental, and vision. The school employees' benefits board and the public employees' benefits board shall adopt policies to reflect this single enrollment requirement."

On page 1, line 1 of the title, after "coverage;" strike the remainder of the title and insert "amending RCW 28A.300.615; adding a new section to chapter 41.05 RCW; creating new sections; and providing expiration dates."

MOTION

Senator Padden moved that the following floor amendment no. 1100 by Senator Padden be adopted:

On page 3, after line 6, insert the following:

"Sec. 5. RCW 41.05.740 and 2018 c 260 s 1 are each amended to read as follows:

(1) The school employees' benefits board is created within the authority. The function of the school employees' benefits board is to design and approve insurance benefit plans for school employees and to establish eligibility criteria for participation in insurance benefit plans.

(2) By September 30, 2017, the governor shall appoint the following voting members to the school employees' benefits board as follows:

(a) Two members from associations representing certificated employees;

(b) Two members from associations representing classified employees;

(c) Four members with expertise in employee health benefits policy and administration, one of which is nominated by an association representing school business officials; and

(d) The director of the authority or his or her designee.

(3) Initial members of the school employees' benefits board shall serve staggered terms not to exceed four years. Members appointed thereafter shall serve two-year terms.

(4) Compensation and reimbursement related to school employees' benefits board member service are as follows:

(a) Members of the school employees' benefits board must be compensated in accordance with RCW 43.03.250 and must be reimbursed for their travel expenses while on official business in accordance with RCW 43.03.050 and 43.03.060.

(b) While school employees' benefits board members are carrying out their powers and duties under this chapter (~~(41.05 RCW)~~), if the service of any certificated or classified employee results in a need for a school employees' benefits board organization to employ a substitute for such certificated or classified employee during such service, payment for such a substitute may be made by the authority from funds appropriated by the legislature for the school employees' benefits board program. If such substitute is paid by the authority, no deduction shall be made from the salary of the certificated or classified employee. In no event shall a school employees' benefits board organization deduct from the salary of a certificated or classified employee serving on the school employees' benefits board more than the amount paid the substitute employed by the school employees' benefits board organization.

(5) The director of the authority or his or her designee shall be the chair and another member shall be selected by the school employees' benefits board as vice chair. The chair shall conduct meetings of the school employees' benefits board. The vice chair shall preside over meetings in the absence of the chair. The school employees' benefits board shall develop bylaws for the conduct of its business.

(6) The school employees' benefits board shall:

(a) Study all matters connected with the provision of health care coverage, life insurance, liability insurance, accidental death and dismemberment, and disability insurance, or any of, or combination of, the enumerated types of insurance for eligible school employees and their dependents on the best basis possible with relation both to the welfare of the school employees and the state. However, liability insurance should not be made available to dependents;

(b) Develop school employee benefit plans that include comprehensive, evidence-based health care benefits for school employees. In developing these plans, the school employees' benefits board shall consider the following elements:

(i) Methods of maximizing cost containment while ensuring access to quality health care;

(ii) Development of provider arrangements that encourage cost containment and ensure access to quality care including, but not limited to, prepaid delivery systems and prospective payment methods;

(iii) Wellness, preventive care, chronic disease management, and other incentives that focus on proven strategies;

(iv) Utilization review procedures to support cost-effective benefits delivery;

(v) Ways to leverage efficient purchasing by coordinating with the public employees' benefits board;

(vi) Effective coordination of benefits; and

(vii) Minimum standards for insuring entities;

(c) Authorize premium contributions for a school employee and the employee's dependents in a manner that encourages the use of cost-efficient health care systems. For participating school employees, the required school employee share of the cost for family coverage premiums may not exceed three times the premiums for a school employee purchasing single coverage for the same coverage plan;

(d) Determine the terms and conditions of school employee and dependent eligibility criteria, enrollment policies, and scope of coverage. At a minimum, the eligibility criteria established by the school employees' benefits board shall address the following:

(i) The effective date of coverage following hire;

(ii) The benefits eligibility criteria, but the school employees' benefits board's criteria shall be no more restrictive than requiring that a school employee be anticipated to work at least six hundred thirty hours per school year to be benefits eligible, except that, beginning September 1, 2020, an employee in a job sharing position who is anticipated to work at least six hundred thirty hours is benefits eligible and must receive a prorated portion of the full-time employer contribution that is consistent with the district's job sharing plan under RCW 28A.405.070; and

(iii) Coverage for dependents, including criteria for legal spouses; children up to age twenty-six; children of any age with disabilities, mental illness, or intellectual or other developmental disabilities; and state registered domestic partners, as defined in RCW 26.60.020, and others authorized by the legislature;

(e) Establish terms and conditions for a school employees' benefits board organization to have the ability to locally negotiate eligibility criteria for a school employee who is anticipated to work less than six hundred thirty hours in a school year. A school employees' benefits board organization that elects to use a lower

threshold of hours for benefits eligibility must use benefits authorized by the school employees' benefits board and shall do so as an enrichment to the state's definition of basic education;

(f) Establish penalties to be imposed when a school employees' benefits board organization fails to comply with established participation criteria; and

(g) Participate with the authority in the preparation of specifications and selection of carriers contracted for school employee benefit plan coverage of eligible school employees in accordance with the criteria set forth in rules. To the extent possible, the school employees' benefits board shall leverage efficient purchasing by coordinating with the public employees' benefits board.

(7) School employees shall choose participation in one of the health care benefit plans developed by the school employees' benefits board. Individual school employees eligible for benefits under subsection (6)(d) of this section may be permitted to waive coverage under terms and conditions established by the school employees' benefits board.

(8) By November 30, 2021, the authority shall review the benefit plans provided through the school employees' benefits board, complete an analysis of the benefits provided and the administration of the benefits plans, and determine whether provisions in chapter 13, Laws of 2017 3rd sp. sess. have resulted in cost savings to the state. The authority shall submit a report to the relevant legislative policy and fiscal committees summarizing the results of the review and analysis."

On page 3, line 8, after "28A.300.615" insert "and 41.05.740"

Senators Padden and Becker spoke in favor of adoption of the amendment to the striking amendment.

Senator Wellman spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1100 by Senator Padden on page 3, after line 6 to striking floor amendment no. 1095.

The motion by Senator Padden did not carry and floor amendment no. 1100 was not adopted by voice vote.

MOTION

Senator Becker moved that the following floor amendment no. 1136 by Senator Becker be adopted:

On page 3, after line 6, insert the following:

"NEW SECTION. Sec. 5. A new section is added to chapter 41.05 RCW to read as follows:

Substitute teachers and other employees who work an intermittent unspecified workweek are not eligible for benefits through the school employees' benefits board."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the technical portion of the title.

Senator Becker spoke in favor of adoption of the amendment to the striking amendment.

Senator Wellman spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1136 by Senator Becker on page 3, after line 6 to striking floor amendment no. 1095.

The motion by Senator Becker did not carry and floor amendment no. 1136 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1095 by Senators Mullet and Wellman to Substitute Senate Bill No. 6189.

The motion by Senator Mullet carried and striking floor amendment no. 1095 was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Substitute Senate Bill No. 6189 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wellman spoke in favor of passage of the bill.

Senators Schoesler and Honeyford 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. 6189.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6189 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Rivers

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6189, having received the 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. 6382, by Senators Erickson and Takko

Concerning state-inspected commercial custom meat facilities. Revised for 2nd Substitute: Creating the meat and poultry processing and marketing assistance program.

MOTIONS

On motion of Senator Erickson, Second Substitute Senate Bill No. 6382 was substituted for Senate Bill No. 6382 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Erickson, the rules were suspended, Second Substitute Senate Bill No. 6382 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Erickson and Rolfes 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. 6382.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6382 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 6382, having received the 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. 6049, by Senators Liias, Das, Keiser, Kuderer, Rolfes, Van De Wege, and Wilson, C.

Creating the insurance commissioner's fraud account.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, Senate Bill No. 6049 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator 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. 6049.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6049 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

SENATE BILL NO. 6049, having received the 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, the Senate advanced to the seventh order of business.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5829, by Senate Committee on Ways & Means (originally sponsored by Mullet, Schoesler, Hunt, Walsh, Warnick, Takko and Van De Wege)

Concerning pension benefits and contributions in the volunteer firefighters' and reserve officers' relief and pension system.

The bill was read on Third Reading.

MOTION

On motion of Senator Mullet, the rules were suspended and Substitute Senate Bill No. 5829 was returned to second reading for the purpose of amendment.

MOTION

Senator Mullet moved that the following striking floor amendment no. 1146 by Senators Mullet and Wagoner be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 41.24.030 and 2005 c 37 s 2 are each amended to read as follows:

(1) The volunteer firefighters' and reserve officers' relief and pension principal fund is created in the state treasury as a trust fund for the benefit of the participants covered by this chapter consisting of:

(a) All bequests, fees, gifts, emoluments, or donations given or paid to the fund.

(b) An annual fee for each member of its fire department to be paid by each municipal corporation for the purpose of affording relief provided in this chapter for firefighters as follows:

(i) ~~((Thirty))~~ Fifty dollars for each volunteer or part-paid member of its fire department;

(ii) A sum equal to one and one-half of one percent of the annual salary attached to the rank of each full-paid member of its fire department, prorated for 1970 on the basis of services prior to March 1, 1970.

(c) An annual fee for each emergency worker of an emergency medical service district paid by the district that is sufficient to pay the full costs of covering the emergency worker under the relief provisions of this chapter, including operating expenses. The state board shall determine the amount of this fee based on the latest actuarial valuation of the system.

(d) Where a municipal corporation has elected to make relief provisions of this chapter available to its reserve officers, an annual fee for each reserve officer paid by the municipal corporation that is sufficient to pay the full costs of covering the reserve officer under the relief provisions of this chapter, including operating expenses. The state board shall determine the amount of this fee based on the latest actuarial valuation of the system.

(e) Where a municipal corporation has elected to make the retirement pension provisions of this chapter available to members of its fire department, an annual fee of ~~((sixty))~~ ninety dollars for each of its firefighters electing to enroll, ~~((thirty))~~ forty-five dollars of which shall be paid by the municipality and ~~((thirty))~~ forty-five dollars of which shall be paid by the firefighter. However, nothing in this section prohibits any municipality from voluntarily paying the firefighters' fee for this retirement pension coverage.

(f) Where an emergency medical service district has elected to make the retirement pension provisions of this chapter available to its emergency workers, for each emergency worker electing to enroll: (i) An annual fee of ~~((thirty))~~ forty-five dollars shall be paid by the emergency worker; and (ii) an annual fee paid by the emergency medical service district that, together with the ~~((thirty))~~ forty-five dollar fee per emergency worker, is sufficient

to pay the full costs of covering the emergency worker under the retirement pension benefits provided under this chapter, including operating expenses. The state board shall determine the amount of this fee based on the latest actuarial valuation of the system. However, nothing in this section prohibits any emergency medical service district from voluntarily paying the emergency workers' fees for this retirement pension coverage.

(g) Where a municipal corporation has elected to make the retirement pension provisions of this chapter available to its reserve officers, for each reserve officer electing to enroll: (i) An annual fee of ~~((thirty))~~ forty-five dollars shall be paid by the reserve officer; and (ii) an annual fee paid by the municipal corporation that, together with the ~~((thirty))~~ forty-five dollar fee per reserve officer, is sufficient to pay the full costs of covering the reserve officer under the retirement pension benefits provided under this chapter, including operating expenses. The state board shall determine the amount of this fee based on the latest actuarial valuation of the system. However, nothing in this section prohibits any municipal corporation from voluntarily paying the reserve officers' fees for this retirement pension coverage.

(h) Moneys transferred from the administrative fund, as provided under subsection (4) of this section, which may only be used to pay relief and retirement pensions for firefighters.

(i) Earnings from the investment of moneys in the principal fund.

(2) The state investment board, upon request of the state treasurer shall have full power to invest, reinvest, manage, contract, sell, or exchange investments acquired from that portion of the amounts credited to the principal fund as is not, in the judgment of the state board, required to meet current withdrawals. Investments shall be made in the manner prescribed by RCW 43.84.150 and not otherwise.

All bonds, investments, or other obligations purchased by the state investment board shall be placed in the custody of the state treasurer, and he or she shall collect the principal thereof and interest thereon when due.

The state investment board may sell any of the bonds, investments, or obligations so acquired and the proceeds thereof shall be paid to the state treasurer.

(3) The interest, earnings, and proceeds from the sale and redemption of any investments held by the principal fund and invested by the state investment board shall be credited to and form a part of the principal fund, less the allocation to the state investment board expense account pursuant to RCW 43.33A.160.

Subject to restrictions contained in this chapter, all amounts credited to the principal fund shall be available for making the benefit payments required by this chapter.

The state treasurer shall make an annual report showing the condition of the fund.

(4) The volunteer firefighters' and reserve officers' administrative fund is created in the state treasury. Moneys in the fund, including unanticipated revenues under RCW 43.79.270, may be spent only after appropriation, and may be used only for operating expenses of the volunteer firefighters' and reserve officers' relief and pension principal fund, the operating expenses of the volunteer firefighters' and reserve officers' administrative fund, or for transfer from the administrative fund to the principal fund.

(a) Forty percent of all moneys received by the state from taxes on fire insurance premiums shall be paid into the state treasury and credited to the administrative fund.

(b) The state board shall compute a percentage of the amounts credited to the administrative fund to be paid into the principal fund.

(c) For the purpose of providing amounts to be used to defray the cost of administration of the principal and administrative

funds, the state board shall ascertain at the beginning of each biennium and request from the legislature an appropriation from the administrative fund sufficient to cover estimated expenses for the biennium.

Sec. 2. RCW 41.24.170 and 2003 c 62 s 1 are each amended to read as follows:

(1) Except as provided in RCW 41.24.410, whenever any participant has been a member and served honorably for a period of ten years or more as an active member in any capacity, of any regularly organized fire department or law enforcement agency of any municipality in this state, and which municipality has adopted appropriate legislation allowing its firefighters or reserve officers to enroll in the retirement pension provisions of this chapter, and the participant has enrolled under the retirement pension provisions and has reached the age of sixty-five years, the board of trustees shall order and direct that he or she be retired and be paid a monthly pension from the principal fund as provided in this section.

(2)(a) Whenever a participant has been a member, and served honorably for a period of twenty-five years or more as an active member in any capacity, of any regularly organized volunteer fire department or law enforcement agency of any municipality in this state, and he or she has reached the age of sixty-five years, and the annual retirement fee has been paid for a period of twenty-five years, the board of trustees shall order and direct that he or she be retired and such participant be paid a monthly pension of three hundred fifty dollars from the fund for the balance of that participant's life.

(b) Beginning the date that the state board receives a determination from the federal internal revenue service that this subsection (2)(b) does not exceed limits on deferred compensation from volunteer plans, but no sooner than July 1, 2022, whenever a participant is eligible for a benefit under (a) of this subsection, the board of trustees shall order and direct that he or she be retired and such participant be paid the monthly pension under (a) of this subsection plus ten dollars per month for each year that the retirement fee was paid beyond twenty-five years, from the fund for the balance of that participant's life.

(3) Whenever any participant has been a member, and served honorably for a period of twenty-five years or more as an active member in any capacity, of any regularly organized volunteer fire department or law enforcement agency of any municipality in this state, and the participant has reached the age of sixty-five years, and the annual retirement fee has been paid for a period of less than twenty-five years, the board of trustees shall order and direct that he or she be retired and that such participant shall receive a minimum monthly pension of ~~((fifty))~~ one hundred dollars increased by the sum of ten dollars each month for each year the annual fee has been paid, but not to exceed ~~((the maximum monthly pension provided in this section))~~ three hundred fifty dollars, for the balance of the participant's life.

(4) No pension provided in this section may become payable before the sixty-fifth birthday of the participant, nor for any service less than twenty-five years: PROVIDED, HOWEVER, That:

~~((4))~~ (a) Any participant, who is older than fifty-nine years of age, less than sixty-five years of age, and has completed twenty-five years or more of service may irrevocably elect a reduced monthly pension in lieu of the pension that participant would be entitled to under this section at age sixty-five. The participant who elects this option shall receive the reduced pension for the balance of his or her life. The reduced monthly pension is calculated as a percentage of the pension the participant would be entitled to at age sixty-five. The percentage used in the calculation is based upon the age of the participant at the time of retirement as follows:

Age 60	Sixty percent
--------	---------------

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

Age 61 Sixty-eight percent
 Age 62 Seventy-six percent
 Age 63 Eighty-four percent
 Age 64 Ninety-two percent

Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C.,
 Wilson, L. and Zeiger
 Excused: Senator Fortunato

~~((2))~~ (b) If a participant is age sixty-five or older but has less than twenty-five years of service, the participant is entitled to a reduced benefit. The reduced benefit shall be computed as follows:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5829, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

~~((a))~~ (i) Upon completion of ten years, but less than fifteen years of service, a monthly pension equal to twenty percent of such pension as the participant would have been entitled to receive at age sixty-five after twenty-five years of service;

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

~~((b))~~ (ii) Upon completion of fifteen years, but less than twenty years of service, a monthly pension equal to thirty-five percent of such pension as the participant would have been entitled to receive at age sixty-five after twenty-five years of service; and

SECOND READING

SENATE BILL NO. 6419, by Senators Keiser, Braun, Rolfes, Randall, Rivers, Dhingra, Darneille, Wilson, C., Saldaña and Salomon

~~((c))~~ (iii) Upon completion of twenty years, but less than twenty-five years of service, a monthly pension equal to seventy-five percent of such pension as the participant would have been entitled to receive at age sixty-five after twenty-five years of service.

Concerning implementation of the recommendations of the December 2019 report from the William D. Ruckelshaus center regarding residential habilitation center clients.

~~((3))~~ (c) If a participant with less than twenty-five years of service elects to retire after turning age sixty but before turning age sixty-five, the participant's retirement allowance is subject:

MOTION

On motion of Senator Keiser, Substitute Senate Bill No. 6419 was substituted for Senate Bill No. 6419 and the substitute bill was placed on the second reading and read the second time.

~~((a))~~ (i) First to the reduction under (b) of this subsection ~~((2) of this section))~~ based upon the participant's years of service; and ~~((b))~~ (ii) Second to the reduction under (a) of this subsection ~~((1) of this section))~~ based upon the participant's age.

WITHDRAWAL OF AMENDMENT

NEW SECTION. **Sec. 3.** (1) Section 1 of this act takes effect January 1, 2021.

On motion of Senator Randall and without objection, floor amendment no. 1159 by Senators Randall and Braun on page 2, line 31 to Substitute Senate Bill No. 6419 was withdrawn.

(2) Section 2 of this act takes effect July 1, 2020."

MOTION

On page 1, line 3 of the title, after "system;" strike the remainder of the title and insert "amending RCW 41.24.030 and 41.24.170; and providing effective dates."

Senator Randall moved that the following floor amendment no. 1161 by Senators Randall and Braun be adopted:

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1146 by Senators Mullet and Wagoner to Substitute Senate Bill No. 5829.

The motion by Senator Mullet carried and striking floor amendment no. 1146 was adopted by voice vote.

MOTION

On page 2, line 31, after "discretion", insert ". The task force must make funds available to reimburse travel expenses for stakeholders who are not participating on behalf of an employer, governmental agency, or other organization and allow for telephonic or other means of remote participation"

On motion of Senator Mullet, the rules were suspended, Engrossed Substitute Senate Bill No. 5829 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

Senators Randall and Braun spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1161 by Senators Randall and Braun on page 2, line 31 to Substitute Senate Bill No. 6419.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5829.

ROLL CALL

The motion by Senator Randall carried and floor amendment no. 1161 was adopted by voice vote.

MOTION

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5829 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 6419 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko,

Senators Keiser, Braun and Honeyford spoke in favor of passage of the bill.

MOTION

SECOND READING

On motion of Senator Rivers, Senator Ericksen was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6419.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6419 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Ericksen and Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6419, having received the 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. 6236, by Senators Kuderer, Pedersen, Lovelett, Wellman and Hasegawa

Concerning certain noneconomic damage waivers.

The measure was read the second time.

MOTION

On motion of Senator Kuderer, the rules were suspended, Senate Bill No. 6236 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer 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. 6236.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6236 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Honeyford, Schoesler and Short
Excused: Senator Fortunato

SENATE BILL NO. 6236, having received the 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 JOINT RESOLUTION NO. 8212, by Senators Braun, Conway, Mullet, Schoesler and Palumbo

Proposing an amendment to the Constitution concerning the investment of funds to provide for long-term care services and supports.

The measure was read the second time.

MOTION

Senator Braun moved that the following floor amendment no. 950 by Senators Braun and Mullet be adopted:

On page 1, beginning on line 13, after "disabilities" strike all material through "insurance," on line 14

Senators Braun and Mullet spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 950 by Senators Braun and Mullet on page 1, line 13 to Senate Joint Resolution No. 8212.

The motion by Senator Braun carried and floor amendment no. 950 was adopted by voice vote.

MOTION

On motion of Senator Braun, the rules were suspended, Engrossed Senate Joint Resolution No. 8212 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

Senators Braun and Mullet spoke in favor of passage of the resolution.

The President declared the question before the Senate to be the final passage of Engrossed Senate Joint Resolution No. 8212.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Joint Resolution No. 8212 and the resolution passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Ericksen, Hasegawa and Padden
Excused: Senator Fortunato

ENGROSSED SENATE JOINT RESOLUTION NO. 8212, having received the two-thirds 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. 6212, by Senators Das, Keiser, Lovelett, Zeiger, Dhingra, Saldaña, Nguyen, Kuderer, Warnick, Randall, Darneille, Van De Wege, Conway, and Wilson, C.

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

Concerning the authority of counties, cities, and towns to exceed statutory property tax limitations for the purpose of financing affordable housing for very low-income households and low-income households.

The measure was read the second time.

MOTION

On motion of Senator Das, the rules were suspended, Senate Bill No. 6212 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Das and Zeiger 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. 6212.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6212 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Ericksen, Hasegawa, Honeyford, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner and Wilson, L.

Excused: Senator Fortunato

SENATE BILL NO. 6212, having received the 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. 6058, by Senators Randall, Saldaña, Wilson, C., Hunt, Kuderer, Nguyen and Van De Wege

Concerning fire district health clinic services.

MOTIONS

On motion of Senator Randall, Substitute Senate Bill No. 6058 was substituted for Senate Bill No. 6058 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Randall, the rules were suspended, Substitute Senate Bill No. 6058 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and Short 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. 6058.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6058 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6058, having received the 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 King, Cleveland, Keiser and Honeyford

Providing enhanced payment to low volume, small rural hospitals.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Senate Bill No. 6354 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King, Cleveland, Carlyle 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. 6354.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6354 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

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. 6164, by Senators Dhingra, Wilson, C., McCoy, Das, Darneille, Kuderer and Randall

Concerning prosecutorial discretion to seek resentencing.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Senate Bill No. 6164 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Darneille 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. 6164.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6164 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Fortunato

SENATE BILL NO. 6164, having received the 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 Keiser assumed the chair.

SECOND READING

SENATE BILL NO. 5607, by Senators Wellman, Das, Kuderer, Nguyen, Randall, Hunt, Carlyle, Darneille, Cleveland, Keiser, Takko, Saldaña, Liias, Van De Wege, Hasegawa, and Wilson, C.

Concerning dual language learning in early learning and K-12 education.

MOTIONS

On motion of Senator Wellman, Second Substitute Senate Bill No. 5607 was substituted for Senate Bill No. 5607 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wellman, the rules were suspended, Second Substitute Senate Bill No. 5607 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins 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 Substitute Senate Bill No. 5607.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5607 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Stanford, Takko, Van De Wege, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Ericksen, Holy, Honeyford, King, Muzzall, Padden, Rivers, Schoesler, Short, Wagoner, Warnick and Wilson, L.

Excused: Senator Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 5607, having received the 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. 5984, by Senators Wellman, Rivers, Hasegawa, Padden, Cleveland, Walsh, Hunt, Brown, Zeiger, Randall, Takko, Lovelett, Nguyen, Kuderer, Das, and Wilson, C.

Concerning language understanding of documents used in dissolution proceedings.

MOTION

On motion of Senator Wellman, Substitute Senate Bill No. 5984 was substituted for Senate Bill No. 5984 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Wellman moved that the following striking floor amendment no. 1134 by Senator Wellman be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 26.09 RCW to read as follows:

In any matter brought pursuant to domestic relations proceedings under this chapter, when a limited English proficiency party requests interpretation services, or when a court has reason to know that the party may require an interpreter has limited English proficiency or is deaf, deaf-blind, or hard of hearing and relies on sign language to communicate, any orders being presented to the court for signature on behalf of that party, or by agreement of the parties, must include a certification from an interpreter that the order has been interpreted to the party in the relevant language. The interpreter appointed for this purpose for a person with limited English proficiency must be an interpreter certified or registered by the administrative office of the courts pursuant to Chapter 2.43 RCW or a qualified interpreter registered by the administrative office of the courts in a noncertified language, or where the necessary language is not certified or registered, the interpreter must be qualified by the judicial officer pursuant to chapter 2.43 RCW. In the event the party who is deaf, deaf-blind, or hard of hearing relies on any form of manual communication, the interpreter appointed for this purpose must be an interpreter appointed pursuant to Chapter 2.42 RCW. When requested, and upon reasonable advance notice, an interpreter must be provided for limited English proficiency litigants by the court at no cost to the party for this purpose.

NEW SECTION. Sec. 2. The sum of one hundred thousand dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2021, from the general fund to

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

the administrative office of the courts interpreter reimbursement program for the purposes of this act.

SENATE BILL NO. 6319, by Senators Takko, Short, Dhingra, Lovelett, and Wilson, C.

MOTION

Senator Rolfes moved that the following floor amendment no. 1162 by Senator Rolfes be adopted:

On page 2, beginning on line 4, strike all of section 2

On page 2, after line 8, insert the following:

On page 1, line 2 of the title, after "proceedings;" insert "and" and beginning on line 2, after "RCW" strike all material through "appropriation" on line 3"

Senator Rolfes spoke in favor of adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of floor amendment no. 1162 by Senator Rolfes on page 2, line 4 to striking floor amendment no. 1134.

The motion by Senator Rolfes carried and floor amendment no. 1162 was adopted by voice vote.

The President Pro Tempore declared the question before the Senate to be the adoption of striking floor amendment no. 1134 by Senator Wellman as amended to Substitute Senate Bill No. 5984.

The motion by Senator Wellman carried and striking floor amendment no. 1134 as amended was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Substitute Senate Bill No. 5984 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman 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 Engrossed Substitute Senate Bill No. 5984.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5984 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 5984, having received the 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

Concerning administration of the senior property tax exemption program.

MOTIONS

On motion of Senator Takko, Substitute Senate Bill No. 6319 was substituted for Senate Bill No. 6319 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. 6319 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and 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 Substitute Senate Bill No. 6319.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6319 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6319, having received the 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. 6592, by Senators Holy, Hunt, Takko and Keiser

Concerning tourism authorities.

MOTION

On motion of Senator Holy, Substitute Senate Bill No. 6592 was substituted for Senate Bill No. 6592 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Short moved that the following floor amendment no. 1108 by Senator Short be adopted:

On page 2, beginning on line 22, strike all of section 2 and insert the following:

"NEW SECTION. **Sec. 2.** A new section is added to chapter 35.101 RCW to read as follows:

(1) In addition to the two dollar charge authorized by RCW 35.101.050, a legislative authority may impose an additional

charge of up to three dollars per night of stay on the furnishing of lodging by a lodging business located in the area.

(2) This section expires July 1, 2027."

On page 3, line 13, after "RCW 35.101.050" insert "or section 2 of this act"

On page 3, line 20, after "authorized in" strike "RCW 35.101.050(4)" and insert "section 2 of this act"

On page 3, after line 20, insert the following:

"NEW SECTION. Sec. 4. A new section is added to chapter 35.101 RCW to read as follows:

Each tourism promotion area must conduct a program review of the additional tourism promotion area charge established in section 2 of this act. The review must be completed and submitted to the appropriate committees of the legislature by January 1, 2026. The review must:

(1) Analyze how tourism promotion area charge funds were used during the period when the additional charge was imposed;

(2) Identify additional marketing and promotional measures conducted or purchased with additional funds beyond the current two dollar charge;

(3) Assess whether additional tourism promotion area charges above two dollars contributed to an actual increase in the number of tourists, as defined in RCW 35.101.010; and

(4) Assess the average additional cost per visit per tourist due to additional tourism promotion area charges above two dollars."

On page 1, beginning on line 1 of the title, after "authorities;" strike all material through "35.101.130" on line 2 and insert "amending RCW 35.101.010 and 35.101.130; adding new sections to chapter 35.101 RCW; and providing an expiration date"

Senators Short, Holy and Takko spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of floor amendment no. 1108 by Senator Short on page 2, line 22 to Substitute Senate Bill No. 6592.

The motion by Senator Short carried and floor amendment no. 1108 was adopted by voice vote.

MOTION

On motion of Senator Holy, the rules were suspended, Engrossed Substitute Senate Bill No. 6592 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holy and Wellman 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. 6592.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6592 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Braun, Ericksen, Honeyford, Padden and Salomon

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6592, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Lieutenant Governor Habib assumed the chair.

SECOND READING

SENATE BILL NO. 6064, by Senators Wagoner, Dhingra and Sheldon

Requiring full body scanners at each department of corrections institution. Revised for 2nd Substitute: Concerning full body scanners and dry cell watches at state correctional institutions.

MOTIONS

On motion of Senator Wagoner, Second Substitute Senate Bill No. 6064 was substituted for Senate Bill No. 6064 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wagoner, the rules were suspended, Second Substitute Senate Bill No. 6064 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wagoner, Darneille and Walsh 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. 6064.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6064 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

SECOND SUBSTITUTE SENATE BILL NO. 6064, having received the 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. 6280, by Senators Nguyen, Carlyle, Wellman, Salomon, Lovelett, Das, Randall, Pedersen, Wilson, C. and Hunt

Concerning the use of facial recognition services.

MOTION

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

On motion of Senator Nguyen, Substitute Senate Bill No. 6280 was substituted for Senate Bill No. 6280 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Nguyen moved that the following striking floor amendment no. 1155 by Senator Nguyen be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that:

(1) Unconstrained use of facial recognition services by state and local government agencies poses broad social ramifications that should be considered and addressed. Accordingly, legislation is required to establish safeguards that will allow state and local government agencies to use facial recognition services in a manner that benefits society while prohibiting uses that threaten our democratic freedoms and put our civil liberties at risk.

(2) However, state and local government agencies may use facial recognition services in a variety of beneficial ways, such as locating missing or incapacitated persons, identifying victims of crime, and keeping the public safe.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Accountability report" means a report developed in accordance with section 3 of this act.

(2) "Enroll," "enrolled," or "enrolling" means the process by which a facial recognition service creates a facial template from one or more images of an individual and adds the facial template to a gallery used by the facial recognition service for recognition or persistent tracking of individuals. It also includes the act of adding an existing facial template directly into a gallery used by a facial recognition service.

(3)(a) "Facial recognition service" means technology that analyzes facial features and is used by a state or local government agency for the identification, verification, or persistent tracking of individuals in still or video images.

(b) "Facial recognition service" does not include: (i) The analysis of facial features to grant or deny access to an electronic device; or (ii) the use of an automated or semiautomated process for the purpose of redacting a recording for release or disclosure outside the law enforcement agency to protect the privacy of a subject depicted in the recording, if the process does not generate or result in the retention of any biometric data or surveillance information.

(4) "Facial template" means the machine-interpretable pattern of facial features that is extracted from one or more images of an individual by a facial recognition service.

(5) "Identification" means the use of a facial recognition service by a state or local government agency to determine whether an unknown individual matches any individual whose identity is known to the state or local government agency and who has been enrolled by reference to that identity in a gallery used by the facial recognition service.

(6) "Meaningful human review" means review or oversight by one or more individuals who are trained in accordance with section 8 of this act and who have the authority to alter the decision under review.

(7) "Ongoing surveillance" means tracking the physical movements of a specified individual through one or more public places over time, whether in real time or through application of a facial recognition service to historical records. It does not include a single recognition or attempted recognition of an individual, if

no attempt is made to subsequently track that individual's movement over time after they have been recognized.

(8) "Persistent tracking" means the use of a facial recognition service by a state or local government agency to track the movements of an individual on a persistent basis without identification or verification of that individual. Such tracking becomes persistent as soon as:

(a) The facial template that permits the tracking is maintained for more than forty-eight hours after first enrolling that template; or

(b) Data created by the facial recognition service is linked to any other data such that the individual who has been tracked is identified or identifiable.

(9) "Recognition" means the use of a facial recognition service by a state or local government agency to determine whether an unknown individual matches:

(a) Any individual who has been enrolled in a gallery used by the facial recognition service; or

(b) A specific individual who has been enrolled in a gallery used by the facial recognition service.

(10) "Serious criminal offense" means any offense defined under RCW 9.94A.030 (26), (33), (42), (43), (47), or (56).

(11) "Verification" means the use of a facial recognition service by a state or local government agency to determine whether an individual is a specific individual whose identity is known to the state or local government agency and who has been enrolled by reference to that identity in a gallery used by the facial recognition service.

NEW SECTION. Sec. 3. (1) A state or local government agency using or intending to develop, procure, or use a facial recognition service must produce an accountability report for that service. The report must be clearly communicated to the public at least ninety days prior to the agency putting the facial recognition service into operational use, posted on the agency's public web site, and submitted to the consolidated technology services agency established in RCW 43.105.006. The consolidated technology services agency must post each submitted accountability report on its public web site.

(2) Each accountability report must include, at minimum, clear and understandable statements of the following:

(a)(i) The name of the facial recognition service, vendor, and version; and (ii) a description of its general capabilities and limitations, including reasonably foreseeable capabilities outside the scope of the proposed use of the agency;

(b)(i) The type or types of data inputs that the technology uses; (ii) how that data is generated, collected, and processed; and (iii) the type or types of data the system is reasonably likely to generate;

(c)(i) A description of the purpose and proposed use of the facial recognition service, including what decision or decisions will be used to make or support it; (ii) whether it is a final or support decision system; and (iii) its intended benefits, including any data or research demonstrating those benefits;

(d) A clear use and data management policy, including protocols for the following:

(i) How and when the facial recognition service will be deployed or used and by whom including, but not limited to, the factors that will be used to determine where, when, and how the technology is deployed, and other relevant information, such as whether the technology will be operated continuously or used only under specific circumstances. If the facial recognition service will be operated or used by another entity on the agency's behalf, the facial recognition service accountability report must explicitly include a description of the other entity's access and any applicable protocols;

(ii) Any measures taken to minimize inadvertent collection of additional data beyond the amount necessary for the specific purpose or purposes for which the facial recognition service will be used;

(iii) Data integrity and retention policies applicable to the data collected using the facial recognition service, including how the agency will maintain and update records used in connection with the service, how long the agency will keep the data, and the processes by which data will be deleted;

(iv) Any additional rules that will govern use of the facial recognition service and what processes will be required prior to each use of the facial recognition service;

(v) Data security measures applicable to the facial recognition service including how data collected using the facial recognition service will be securely stored and accessed, if and why an agency intends to share access to the facial recognition service or the data from that facial recognition service with any other entity, and the rules and procedures by which an agency sharing data with any other entity will ensure that such entities comply with the sharing agency's use and data management policy as part of the data sharing agreement;

(vi) How the facial recognition service provider intends to fulfill security breach notification requirements pursuant to chapter 19.255 RCW and how the agency intends to fulfill security breach notification requirements pursuant to RCW 42.56.590; and

(vii) The agency's training procedures, including those implemented in accordance with section 8 of this act, and how the agency will ensure that all personnel who operate the facial recognition service or access its data are knowledgeable about and able to ensure compliance with the use and data management policy prior to use of the facial recognition service;

(e) The agency's testing procedures, including its processes for periodically undertaking operational tests of the facial recognition service in accordance with section 6 of this act;

(f) Information on the facial recognition service's rate of false matches, potential impacts on protected subpopulations, and how the agency will address error rates, determined independently, greater than one percent;

(g) A description of any potential impacts of the facial recognition service on civil rights and liberties, including potential impacts to privacy and potential disparate impacts on marginalized communities, and the specific steps the agency will take to mitigate the potential impacts and prevent unauthorized use of the facial recognition service; and

(h) The agency's procedures for receiving feedback, including the channels for receiving feedback from individuals affected by the use of the facial recognition service and from the community at large, as well as the procedures for responding to feedback.

(3) Prior to finalizing and implementing the accountability report, the agency must consider issues raised by the public through:

(a) A public review and comment period; and

(b) Community consultation meetings during the public review period.

(4) The accountability report must be updated every two years and each update must be subject to the public comment and community consultation processes described in this section.

(5) An agency seeking to use a facial recognition service for a purpose not disclosed in the agency's existing accountability report must first seek public comment and community consultation on the proposed new use and adopt an updated accountability report pursuant to the requirements contained in this section.

(6) The accountability report required for the facial recognition matching system authorized in RCW 46.20.037 is due July 1, 2021.

NEW SECTION. Sec. 4. (1) State and local government agencies using a facial recognition service are required to prepare and publish an annual report that discloses:

(a) The extent of their use of such services;

(b) An assessment of compliance with the terms of their accountability report;

(c) Any known or reasonably suspected violations of their accountability report, including categories of complaints alleging violations; and

(d) Any revisions to the accountability report recommended by the agency during the next update of the policy.

(2) The annual report must be submitted to the office of privacy and data protection.

(3) All agencies must hold community meetings to review and discuss their annual report within sixty days of its public release.

NEW SECTION. Sec. 5. State and local government agencies using a facial recognition service to make decisions that produce legal effects concerning individuals or similarly significant effects concerning individuals must ensure that those decisions are subject to meaningful human review. Decisions that produce legal effects concerning individuals or similarly significant effects concerning individuals means decisions that result in the provision or denial of financial and lending services, housing, insurance, education enrollment, criminal justice, employment opportunities, health care services, or access to basic necessities such as food and water.

NEW SECTION. Sec. 6. Prior to deploying a facial recognition service in the context in which it will be used, state and local government agencies using a facial recognition service to make decisions that produce legal effects on individuals or similarly significant effect on individuals must test the facial recognition service in operational conditions. State and local government agencies must take reasonable steps to ensure best quality results by following all reasonable guidance provided by the developer of the facial recognition service.

NEW SECTION. Sec. 7. (1) A state or local government agency that deploys a facial recognition service must require a facial recognition service provider to make available an application programming interface or other technical capability, chosen by the provider, to enable legitimate, independent, and reasonable tests of those facial recognition services for accuracy and unfair performance differences across distinct subpopulations. However, making such an application programming interface or other technical capability available does not require the disclosure of proprietary data, trade secrets, intellectual property, or other information, or if doing so would increase the risk of cyberattacks including, without limitation, cyberattacks related to unique methods of conducting business, data unique to the product or services, or determining prices or rates to be charged for services. Such subpopulations are defined by visually detectable characteristics such as: (a) Race, skin tone, ethnicity, gender, age, or disability status; or (b) other protected characteristics that are objectively determinable or self-identified by the individuals portrayed in the testing dataset. If the results of the independent testing identify material unfair performance differences across subpopulations, and the methodology, data, and results are disclosed in a manner that allows full reproduction directly to the provider who, acting reasonably, determines that the methodology and results of that testing are valid, then the provider must develop and implement a plan to mitigate the identified performance differences.

(2) This section does not apply to the facial recognition matching system authorized in RCW 46.20.037 under contract as

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

of the effective date of this section. Upon renewal or extension of the contract as of the effective date of this section, or upon entering into a new contract for facial recognition services, the department of licensing must ensure that the facial recognition service provider of the system authorized in RCW 46.20.037 fulfills the requirements of this section.

NEW SECTION. Sec. 8. State and local government agencies using a facial recognition service must conduct periodic training of all individuals who operate a facial recognition service or who process personal data obtained from the use of a facial recognition service. The training must include, but not be limited to, coverage of:

- (1) The capabilities and limitations of the facial recognition service;
- (2) Procedures to interpret and act on the output of the facial recognition service; and
- (3) To the extent applicable to the deployment context, the meaningful human review requirement for decisions that produce legal effects concerning individuals or similarly significant effects concerning individuals.

NEW SECTION. Sec. 9. (1) State and local government agencies must disclose their use of a facial recognition service on a criminal defendant to that defendant in a timely manner prior to trial.

(2) State and local government agencies using a facial recognition service shall maintain records of their use of the service that are sufficient to facilitate public reporting and auditing of compliance with agencies' facial recognition policies.

(3) In January of each year, any judge who has issued a warrant for ongoing surveillance, or an extension thereof, as described in section 12(1) of this act, that expired during the preceding year, or who has denied approval of such a warrant during that year shall report to the administrator for the courts:

- (a) The fact that a warrant or extension was applied for;
- (b) The fact that the warrant or extension was granted as applied for, was modified, or was denied;
- (c) The period of ongoing surveillance authorized by the warrant and the number and duration of any extensions of the warrant;
- (d) The identity of the applying investigative or law enforcement officer and agency making the application and the person authorizing the application; and
- (e) The nature of the public spaces where the surveillance was conducted.

NEW SECTION. Sec. 10. This chapter does not apply to a state or local government agency that is mandated to use a specific facial recognition service pursuant to a federal regulation or order.

NEW SECTION. Sec. 11. (1)(a) A legislative task force on facial recognition services 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) Eight representatives from advocacy organizations that represent individuals or protected classes of communities historically impacted by surveillance technologies including, but not limited to, African American, Hispanic American, Native American, and Asian American communities, religious minorities, protest and activist groups, and other vulnerable communities;
- (iv) Two members from law enforcement or other agencies of government;

(v) One representative from a retailer or other company who deploys facial recognition services in physical premises open to the public;

(vi) Two representatives from consumer protection organizations;

(vii) Two representatives from companies that develop and provide facial recognition services; and

(viii) Two representatives from universities or research institutions who are experts in either facial recognition services or their sociotechnical implications, or both.

(b) The task force shall choose two cochairs from among its legislative membership.

(2) The task force shall review the following issues:

(a) Provide recommendations addressing the potential abuses and threats posed by the use of a facial recognition service to civil liberties and freedoms, privacy and security, and discrimination against vulnerable communities, as well as other potential harm, while also addressing how to facilitate and encourage the continued development of a facial recognition service so that individuals, businesses, government, and other stakeholders in society continue to utilize its benefits;

(b) Provide recommendations regarding the adequacy and effectiveness of applicable Washington state laws; and

(c) Conduct a study on the quality, accuracy, and efficacy of a facial recognition service including, but not limited to, its quality, accuracy, and efficacy across different subpopulations.

(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 governor and the appropriate committees of the legislature by September 30, 2021.

(7) This section expires May 1, 2022.

NEW SECTION. Sec. 12. A new section is added to chapter 9.73 RCW to read as follows:

(1) State and local government agencies may not use a facial recognition service to engage in ongoing surveillance unless the use is in support of law enforcement activities and there is probable cause to believe that an individual has committed, is engaged in, or is about to commit, a felony or there is a need by law enforcement to invoke their community care-taking function, and either:

(a) A court order has been obtained to permit the use of the facial recognition service for ongoing surveillance; or

(b) Where the agency reasonably determines that an exigent circumstance exists, and an appropriate court order is obtained as soon as reasonably practicable. In the absence of an authorizing order, such use must immediately terminate at the earliest of the following:

- (i) The information sought is obtained;
- (ii) The application for the order is denied; or

(iii) When forty-eight hours have lapsed since the beginning of the emergency surveillance for the purpose of ongoing surveillance.

(2) State and local government agencies must not apply a facial recognition service to any individual based on their religious, political, or social views or activities, participation in a particular noncriminal organization or lawful event, or actual or perceived race, ethnicity, citizenship, place of origin, age, disability, gender, gender identity, sexual orientation, or other characteristic protected by law. This subsection does not condone profiling including, but not limited to, predictive law enforcement tools. The prohibition in this subsection does not prohibit state and local government agencies from applying a facial recognition service to an individual who happens to possess one or more of these characteristics where an officer of that agency holds a reasonable suspicion that that individual has committed, is engaged in, or is about to commit a felony or there is need to invoke their community care-taking function.

(3) State and local government agencies may not use a facial recognition service to create a record describing any individual's exercise of rights guaranteed by the First Amendment of the United States Constitution and by Article I, section 5 of the state Constitution, unless:

(a) Such use is specifically authorized by applicable law and is pertinent to and within the scope of an authorized law enforcement activity; and

(b) There is reasonable suspicion to believe the individual has committed, is engaged in, or is about to commit a felony or there is need to invoke their community care-taking function.

(4) Law enforcement agencies that utilize body worn camera recordings shall comply with the provisions of RCW 42.56.240(14).

(5) A facial recognition service match alone does not constitute reasonable suspicion.

NEW SECTION. Sec. 13. Sections 1 through 10 of this act constitute a new chapter in Title 43 RCW."

On page 1, line 1 of the title, after "services;" strike the remainder of the title and insert "adding a new section to chapter 9.73 RCW; adding a new chapter to Title 43 RCW; creating a new section; and providing an expiration date."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1155 by Senator Nguyen to Substitute Senate Bill No. 6280.

The motion by Senator Nguyen carried and striking floor amendment no. 1155 was adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Engrossed Substitute Senate Bill No. 6280 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen, King and Carlyle spoke in favor of passage of the bill.

Senator Ericksen 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. 6280.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6280 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Sheldon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hasegawa, Holy, Honeyford, Muzzall, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6280, having received the 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 Senators Liias and Das

Concerning accessory dwelling unit regulation.

MOTION

On motion of Senator Liias, Substitute Senate Bill No. 6617 was substituted for Senate Bill No. 6617 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Liias moved that the following floor amendment no. 1167 by Senator Liias be adopted:

On page 3, beginning on line 33, after "(3)" strike all material through "64.37.010" on line 38 and insert "May remove any requirement that the owner of a lot on which there is an accessory dwelling unit reside in or occupy the accessory dwelling unit or another housing unit on the same lot"

Senator Liias spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1167 by Senator Liias on page 3, line 33 to Substitute Senate Bill No. 6617.

The motion by Senator Liias carried and floor amendment no. 1167 was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute Senate Bill No. 6617 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Liias spoke in favor of passage of the bill.

Senators Zeiger and Ericksen 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. 6617.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6617 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 17; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Carlyle, Darneille, Das, Dhingra, Frockt, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen,

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

Pedersen, Randall, Rivers, Saldaña, Salomon, Schoesler, Sheldon, Stanford, Van De Wege, Walsh and Wilson, C.

Voting nay: Senators Becker, Brown, Cleveland, Conway, Ericksen, Hasegawa, Honeyford, O'Ban, Padden, Rolfes, Short, Takko, Wagoner, Warnick, Wellman, Wilson, L. and Zeiger

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE 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.

SECOND READING

SENATE BILL NO. 6582, by Senators Hobbs, Stanford, Muzzall, Salomon, McCoy, Wagoner and Liias

Concerning the number of fire protection district commissioners.

The measure was read the second time.

MOTION

On motion of Senator Hobbs, the rules were suspended, Senate Bill No. 6582 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hobbs and Short 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. 6582.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6582 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

SENATE BILL NO. 6582, having received the 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. 5299, by Senators Padden, Frockt, Kuderer and Wagoner

Concerning impaired driving.

MOTIONS

On motion of Senator Padden, Second Substitute Senate Bill No. 5299 was substituted for Senate Bill No. 5299 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Padden moved that the following floor amendment no. 1066 by Senator Padden be adopted:

On page 24, line 15, after "(1)", strike "Within existing resources", and insert "When funded"

Senator Padden spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1066 by Senator Padden on page 24, line 15 to Second Substitute Senate Bill No. 5299.

The motion by Senator Padden carried and floor amendment no. 1066 was adopted by voice vote.

MOTION

On motion of Senator Padden, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5299 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden, O'Ban, Honeyford and Becker spoke in favor of passage of the bill.

Senator Frockt spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5299.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5299 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Hunt, Mullet and Saldaña

Excused: Senator Fortunato

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5299, having received the 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. 6378, by Senators Kuderer, Darneille, Das and Lovelett

Concerning residential tenant protections.

MOTION

On motion of Senator Kuderer, Substitute Senate Bill No. 6378 was substituted for Senate Bill No. 6378 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Kuderer moved that the following striking floor amendment no. 1062 by Senator Kuderer be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that despite the passage of several eviction reforms during the 2019 regular legislative session there is a need to clarify certain reforms and to address the unintended effects and oversights that have limited the impact and remedial nature of these reforms available to tenants. Specifically, the legislature finds that further clarity is required as to how and when tenants can access emergency rental assistance to pay off unlawful detainer judgment amounts and have their tenancies reinstated before judgment, when landlords can issue pay or vacate notices to tenants whose primary source of income is regular, monthly governmental assistance, and that a landlord cannot threaten a tenant with eviction for failure to pay fees not related to rent. As a result, the legislature intends with this act to make such modifications to ensure that tenants with limited to no resources maintain stable housing.

Sec. 2. RCW 59.18.057 and 2019 c 356 s 3 are each amended to read as follows:

(1) Every fourteen-day notice served pursuant to RCW 59.12.030(3) must be in substantially the following form:

"TO: _____
AND TO: _____
ADDRESS: _____

FOURTEEN-DAY NOTICE TO PAY RENT OR VACATE THE PREMISES

You are receiving ~~((the attached))~~ this notice because the landlord alleges you are not in compliance with the terms of the lease agreement by failing to pay rent and/or utilities and/or recurring or periodic charges that are past due.

(1) **Monthly rent due for (list month(s)): \$ (dollar amount) AND/OR**

(2) **Utilities due for (list month(s)): \$ (dollar amount) AND/OR**

(3) **Other recurring or periodic charges identified in the lease for (list month(s)): \$ (dollar amount)**

TOTAL AMOUNT DUE: \$ (dollar amount)

Note - payment must be ~~((by cash))~~ made pursuant to the terms of the rental agreement or by nonelectronic means including, but not limited to, cashier's check, money order, or other certified funds ((pursuant to the terms of the rental agreement)).

You must pay the total amount due to your landlord within fourteen (14) days after service of this notice or you must vacate the premises. Any payment you make to the landlord must first be applied to the total amount due as shown on this notice. Any failure to comply with this notice within fourteen (14) days after service of this notice may result in a judicial proceeding that leads to your eviction from the premises.

The Washington state Office of the Attorney General has this notice in multiple languages on its web site. You will also find information there on how to find a lawyer or advocate at low or no cost and any available resources to help you pay your rent. Alternatively, for no-cost legal assistance for low-income renters call 2-1-1 ((to learn about these services)) or the Northwest Justice Project CLEAR Hotline outside King County (888) 201-1014 weekdays between 9:15 a.m. – 12:15 p.m., or (888) 387-7111 for seniors (age 60 and over). You may find additional information to help you at <http://www.washingtonlawhelp.org>.

State law provides you the right to receive interpreter services at court.

OWNER/LANDLORD: _____ DATE: _____

WHERE TOTAL AMOUNT DUE IS TO BE PAID:

_____(owner/landlord name)_____
_____(address)_____"

(2) The form required in this section does not abrogate any additional notice requirements to tenants as required by federal, state, or local law.

Sec. 3. RCW 59.18.063 and 2011 c 132 s 4 are each amended to read as follows:

(1) A landlord may refuse to accept cash for any payment of rent made by a tenant, but shall provide a receipt for any payment made by a tenant in the form of cash when the landlord accepts cash.

(2) A landlord shall provide, upon the request of a tenant, a written receipt for any payments made by the tenant in a form other than cash.

Sec. 4. RCW 59.18.365 and 2019 c 356 s 9 are each amended to read as follows:

(1) The summons must contain the names of the parties to the proceeding, the attorney or attorneys if any, the court in which the same is brought, the nature of the action, in concise terms, and the relief sought, and also the return day; and must notify the defendant to appear and answer within the time designated or that the relief sought will be taken against him or her. The summons must contain a street address for service of the notice of appearance or answer and, if available, a facsimile number for the plaintiff or the plaintiff's attorney, if represented. The summons must be served and returned in the same manner as a summons in other actions is served and returned.

(2) A defendant may serve a copy of an answer or notice of appearance by any of the following methods:

(a) By delivering a copy of the answer or notice of appearance to the person who signed the summons at the street address listed on the summons;

(b) By mailing a copy of the answer or notice of appearance addressed to the person who signed the summons to the street address listed on the summons;

(c) By facsimile to the facsimile number listed on the summons. Service by facsimile is complete upon successful transmission to the facsimile number listed upon the summons;

(d) As otherwise authorized by the superior court civil rules.

(3) The summons for unlawful detainer actions for tenancies covered by this chapter shall be substantially in the following form:

IN THE SUPERIOR COURT OF THE
STATE OF WASHINGTON
IN AND
FOR COUNTY
Plaintiff/ | NO.
Landlord/ |
Owner, |
vs. EVICTION SUMMONS
Defendant/ (Residential)
Tenant/
Occupant.

THIS IS AN IMPORTANT LEGAL DOCUMENT TO EVICT YOU.

YOUR WRITTEN RESPONSE MUST BE RECEIVED BY: 5:00 p.m., on

.....

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

TO: (Defendant's Name)
. (Defendant's Address)

GET HELP: If you do not respond by the deadline above, you will lose your right to defend yourself in court and could be evicted. If you cannot afford a lawyer, you may call 2-1-1 or the Northwest Justice Project CLEAR Hotline outside King County (888) 201-1014 weekdays between 9:15 a.m. – 12:15 p.m., or (888) 387-7111 for seniors (age 60 and over). They can refer you to free or low-cost legal help. ~~((They can help you find help to pay for a lawyer.))~~ You may find additional information to help you at <http://www.washingtonlawhelp.org>.

HOW TO RESPOND: Phone calls to your Landlord or your Landlord's lawyer are not a response. You may respond with a "notice of appearance." This is a letter that includes the following:

- (1) A statement that you are appearing in the court case
- (2) Names of the landlord(s) and the tenant(s) (as listed above)
- (3) Your name, your address where legal documents may be sent, your signature, phone number (if any), and case number (if the case is filed)

This case is / is not filed with the court. If this case is filed, you need to also file your response with the court by delivering a copy to the clerk of the court at: (Clerk's Office/Address/Room number/Business hours of court clerk)

WHERE TO RESPOND: You must mail, fax, or hand deliver your response letter to your Landlord's lawyer, or if no lawyer is named in the complaint, to your Landlord. If you mail the response letter, you must do it 3 days before the deadline above. Request receipt of a proof of mailing from the post office. If you hand deliver or fax it, you must do it by the deadline above. The address is:

. (Attorney/Landlord Name)
. (Address)
. (Fax - required if available)

COURT DATE: If you respond to this Summons, you will be notified of your hearing date in a document called an "Order to Show Cause." This is usually mailed to you. If you get notice of a hearing, **you must go to the hearing.** If you do not show up, your landlord can evict you. Your landlord might also charge you more money. If you move before the court date, you must tell your landlord or the landlord's attorney.

Sec. 5. RCW 59.18.410 and 2019 c 356 s 7 are each amended to read as follows:

(1) If at trial the verdict of the jury or, if the case is tried without a jury, the finding of the court is in favor of the landlord and against the tenant, judgment shall be entered for the restitution of the premises; and if the proceeding is for unlawful detainer after neglect or failure to perform any condition or covenant of a lease or agreement under which the property is held, or after default in the payment of rent, the judgment shall also declare the forfeiture of the lease, agreement, or tenancy. The jury, or the court, if the proceedings are tried without a jury, shall also assess the damages arising out of the tenancy occasioned to the landlord by any forcible entry, or by any forcible or unlawful detainer, alleged in the complaint and proved at trial, and, if the alleged unlawful detainer is based on default in the payment of rent, find the amount of any rent due, and the judgment shall be rendered against the tenant liable for the forcible entry, forcible detainer, or unlawful detainer for the amount of damages thus assessed, for the rent, if any, found due, and late fees if such fees are due under the lease and do not exceed seventy-five dollars in total. The court may award statutory costs. The court may also award reasonable attorneys' fees as provided in RCW 59.18.290.

(2) When the tenant is liable for unlawful detainer after a default in the payment of rent, execution upon the judgment shall

not occur until the expiration of five court days after the entry of the judgment. Before ~~((such time has expired))~~ entry of a judgment or until five court days have expired after entry of the judgment, the tenant or any subtenant, or any mortgagee of the term, or other party interested in the continuance of the tenancy, may pay into court or to the landlord the amount of the rent due, any court costs incurred at the time of payment, late fees if such fees are due under the lease and do not exceed seventy-five dollars in total, and attorneys' fees if awarded, in which event any judgment entered shall be satisfied and the tenant restored to his or her tenancy. If the tenant seeks to restore his or her tenancy after entry of a judgment, the tenant may tender the amount stated within the judgment as long as that amount does not exceed the amount authorized under subsection (1) of this section. If a tenant seeks to restore his or her tenancy and pay the amount set forth in this subsection with funds acquired through an emergency rental assistance program provided by a governmental or nonprofit entity, the tenant shall provide a copy of the pledge of emergency rental assistance provided from the appropriate governmental or nonprofit entity and have an opportunity to exercise such rights under this subsection, which may include a stay of judgment and provision by the landlord of documentation necessary for processing the assistance. The landlord shall accept any pledge of emergency rental assistance funds provided to the tenant from a governmental or nonprofit entity before the expiration of any pay or vacate notice for nonpayment of rent for the full amount of the rent owing under the rental agreement. The landlord shall accept any written pledge of emergency rental assistance funds provided to the tenant from a governmental or nonprofit entity after the expiration of the pay or vacate notice if the pledge will contribute to the total payment of both the amount of rent due, including any current rent, and other amounts if required under this subsection. The landlord shall suspend any court action for seven court days after providing necessary payment information to the nonprofit or governmental entity to allow for payment of the emergency rental assistance funds. By accepting such pledge of emergency rental assistance, the landlord is not required to enter into any additional conditions not related to the provision of necessary payment information and documentation. If a judgment has been satisfied, the landlord shall file a satisfaction of judgment with the court. A tenant seeking to exercise rights under this subsection shall pay an additional fifty dollars for each time the tenant was reinstated after judgment pursuant to this subsection within the previous twelve months prior to payment. If payment of the amount specified in this subsection is not made within five court days after the entry of the judgment, the judgment may be enforced for its full amount and for the possession of the premises.

(3)(a) Following the entry of a judgment in favor of the landlord and against the tenant for the restitution of the premises and forfeiture of the tenancy due to nonpayment of rent, the court, at the time of the show cause hearing or trial, or upon subsequent motion of the tenant but before the execution of the writ of restitution, may stay the writ of restitution upon good cause and on such terms that the court deems fair and just for both parties. In making this decision, the court shall consider evidence of the following factors:

- (i) The tenant's willful or intentional default or intentional failure to pay rent;
- (ii) Whether nonpayment of the rent was caused by exigent circumstances that were beyond the tenant's control and that are not likely to recur;
- (iii) The tenant's ability to timely pay the judgment;
- (iv) The tenant's payment history;
- (v) Whether the tenant is otherwise in substantial compliance with the rental agreement;

(vi) Hardship on the tenant if evicted; and
 (vii) Conduct related to other notices served within the last six months.

(b) The burden of proof for such relief under this subsection (3) shall be on the tenant. If the tenant seeks relief pursuant to this subsection (3) at the time of the show cause hearing, the court shall hear the matter at the time of the show cause hearing or as expeditiously as possible so as to avoid unnecessary delay or hardship on the parties.

(c) In any order issued pursuant to this subsection (3):

(i) The court shall not stay the writ of restitution more than ninety days from the date of order, but may order repayment of the judgment balance within such time. If the payment plan is to exceed thirty days, the total cumulative payments for each thirty-day period following the order shall be no less than one month of the tenant's share of the rent, and the total amount of the judgment and all additional rent that is due shall be paid within ninety days.

(ii) Within any payment plan ordered by the court, the court shall require the tenant to pay to the landlord or to the court one month's rent within five court days of issuance of the order. If the date of the order is on or before the fifteenth of the month, the tenant shall remain current with ongoing rental payments as they become due for the duration of the payment plan; if the date of the order is after the fifteenth of the month, the tenant shall have the option to apportion the following month's rental payment within the payment plan, but monthly rental payments thereafter shall be paid according to the rental agreement.

(iii) The sheriff may serve the writ of restitution upon the tenant before the expiration of the five court days of issuance of the order; however, the sheriff shall not execute the writ of restitution until after expiration of the five court days in order for payment to be made of one month's rent as required by (c)(ii) of this subsection. In the event payment is made as provided in (c)(ii) of this subsection for one month's rent, the court shall stay the writ of restitution ex parte without prior notice to the landlord upon the tenant filing and presenting a motion to stay with a declaration of proof of payment demonstrating full compliance with the required payment of one month's rent. Any order staying the writ of restitution under this subsection (3)(c)(iii) shall require the tenant to serve a copy of the order on the landlord by personal delivery, first-class mail, facsimile, or email if agreed to by the parties.

(A) If the tenant has satisfied (c)(ii) of this subsection by paying one month's rent within five court days, but defaults on a subsequent payment required by the court pursuant to this subsection (3)(c), the landlord may enforce the writ of restitution after serving a notice of default in accordance with RCW 59.12.040 informing the tenant that he or she has defaulted on rent due under the lease agreement or payment plan entered by the court. Upon service of the notice of default, the tenant shall have three calendar days from the date of service to vacate the premises before the sheriff may execute the writ of restitution.

(B) If the landlord serves the notice of default described under this subsection (3)(c)(iii), an additional day is not included in calculating the time before the sheriff may execute the writ of restitution. The notice of default must be in substantially the following form:

NOTICE OF DEFAULT FOR RENT AND/OR PAYMENT
 PLAN ORDERED BY COURT
 NAME(S)
 ADDRESS
 CITY, STATE, ZIP
 THIS IS NOTICE THAT YOU ARE IN DEFAULT OF
 YOUR RENT AND/OR PAYMENT PLAN ORDERED BY
 THE COURT. YOUR LANDLORD HAS RECEIVED THE
 FOLLOWING PAYMENTS:

DATE
 AMOUNT
 DATE
 AMOUNT
 DATE
 AMOUNT

THE LANDLORD MAY SCHEDULE YOUR PHYSICAL
 EVICTION WITHIN THREE CALENDAR DAYS OF
 SERVICE OF THIS NOTICE. TO STOP A PHYSICAL
 EVICTION, YOU ARE REQUIRED TO PAY THE
 BALANCE OF YOUR RENT AND/OR PAYMENT PLAN
 IN THE AMOUNT OF \$

PAYMENT MAY BE MADE TO THE COURT OR TO THE
 LANDLORD. IF YOU FAIL TO PAY THE BALANCE
 WITHIN THREE CALENDAR DAYS, THE LANDLORD
 MAY PROCEED WITH A PHYSICAL EVICTION FOR
 POSSESSION OF THE UNIT THAT YOU ARE RENTING.

DATE
 SIGNATURE
 LANDLORD/AGENT
 NAME
 ADDRESS
 PHONE

(iv) If a tenant seeks to satisfy a condition of this subsection (3)(c) by relying on an emergency rental assistance program provided by a government or nonprofit entity and provides an offer of proof, the court shall stay the writ of restitution as necessary to afford the tenant an equal opportunity to comply.

(v) The court shall extend the writ of restitution as necessary to enforce the order issued pursuant to this subsection (3)(c) in the event of default.

~~(d) ((A tenant who has been served with three or more notices to pay or vacate for failure to pay rent as set forth in RCW 59.12.040 within twelve months prior to the notice to pay or vacate upon which the proceeding is based may not seek relief under this subsection (3)).~~

~~(e))~~(i) In any application seeking relief pursuant to this subsection (3) by either the tenant or landlord, the court shall issue a finding as to whether the tenant is low-income, limited resourced, or experiencing hardship to determine if the parties would be eligible for disbursement through the landlord mitigation program account established within RCW 43.31.605(1)(c). In making this finding, the court may include an inquiry regarding the tenant's income relative to area median income, household composition, any extenuating circumstances, or other factors, and may rely on written declarations or oral testimony by the parties at the hearing.

(ii) After a finding that the tenant is low-income, limited resourced, or experiencing hardship, the court may issue an order: (A) Finding that the landlord is eligible to receive on behalf of the tenant and may apply for reimbursement from the landlord mitigation program; and (B) directing the clerk to remit, without further order of the court, any future payments made by the tenant in order to reimburse the department of commerce pursuant to RCW 43.31.605(1)(c)(iii). In accordance with RCW 43.31.605(1)(c), such an order must be accompanied by a copy of the order staying the writ of restitution. Nothing in this subsection (3)((e)) ~~(d)~~ shall be deemed to obligate the department of commerce to provide assistance in claim reimbursement through the landlord mitigation program if there are not sufficient funds.

(iii) If the department of commerce fails to disburse payment to the landlord for the judgment pursuant to this subsection (3)((e)) ~~(d)~~ within thirty days from submission of the application, the landlord may renew an application for a writ of restitution pursuant to RCW 59.18.370 and for other rent owed by

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

the tenant since the time of entry of the prior judgment. In such event, the tenant may exercise rights afforded under this section.

(iv) Upon payment by the department of commerce to the landlord for the remaining or total amount of the judgment, as applicable, the judgment is satisfied and the landlord shall file a satisfaction of judgment with the court.

(v) Nothing in this subsection (3)~~((e))~~ (d) prohibits the landlord from otherwise applying for reimbursement for an unpaid judgment pursuant to RCW 43.31.605(1)(c) after the tenant defaults on a payment plan ordered pursuant to (c) of this subsection.

(4) If a tenant seeks to stay a writ of restitution issued pursuant to this chapter, the court may issue an ex parte stay of the writ of restitution provided the tenant or tenant's attorney submits a declaration indicating good faith efforts were made to notify the other party or, if no efforts were made, why notice could not be provided prior to the application for an ex parte stay, and describing the immediate or irreparable harm that may result if an immediate stay is not granted. The court shall require service of the order and motion to stay the writ of restitution by personal delivery, mail, facsimile, or other means most likely to afford all parties notice of the court date.

(5) In all other cases the judgment may be enforced immediately. If a writ of restitution shall have been executed prior to judgment no further writ or execution for the premises shall be required.

(6) This section also applies if the writ of restitution is issued pursuant to a final judgment entered after a show cause hearing conducted in accordance with RCW 59.18.380.

Sec. 6. RCW 59.18.230 and 2011 c 132 s 11 are each amended to read as follows:

(1)(a) Any provision of a lease or other agreement, whether oral or written, whereby any section or subsection of this chapter is waived except as provided in RCW 59.18.360 and shall be deemed against public policy and shall be unenforceable. Such unenforceability shall not affect other provisions of the agreement which can be given effect without them.

(b) A landlord may not threaten a tenant with eviction for failure to pay nonpossessory charges limited under RCW 59.18.283.

(2) No rental agreement may provide that the tenant:

(a) Agrees to waive or to forgo rights or remedies under this chapter; or

(b) Authorizes any person to confess judgment on a claim arising out of the rental agreement; or

(c) Agrees to pay the landlord's attorneys' fees, except as authorized in this chapter; or

(d) Agrees to the exculpation or limitation of any liability of the landlord arising under law or to indemnify the landlord for that liability or the costs connected therewith; or

(e) And landlord have agreed to a particular arbitrator at the time the rental agreement is entered into.

(3) A provision prohibited by subsection (2) of this section included in a rental agreement is unenforceable. If a landlord deliberately uses a rental agreement containing provisions known by him or her to be prohibited, the tenant may recover actual damages sustained by him or her, statutory damages not to exceed five hundred dollars, costs of suit, and reasonable attorneys' fees.

(4) The common law right of the landlord of distress for rent is hereby abolished for property covered by this chapter. Any provision in a rental agreement creating a lien upon the personal property of the tenant or authorizing a distress for rent is null and void and of no force and effect. Any landlord who takes or detains the personal property of a tenant without the specific written consent of the tenant to such incident of taking or detention, and

who, after written demand by the tenant for the return of his or her personal property, refuses to return the same promptly shall be liable to the tenant for the value of the property retained, actual damages, and if the refusal is intentional, may also be liable for damages of up to five hundred dollars per day but not to exceed five thousand dollars, for each day or part of a day that the tenant is deprived of his or her property. The prevailing party may recover his or her costs of suit and a reasonable attorneys' fee.

In any action, including actions pursuant to chapters 7.64 or 12.28 RCW, brought by a tenant or other person to recover possession of his or her personal property taken or detained by a landlord in violation of this section, the court, upon motion and after notice to the opposing parties, may waive or reduce any bond requirements where it appears to be to the satisfaction of the court that the moving party is proceeding in good faith and has, prima facie, a meritorious claim for immediate delivery or redelivery of said property.

Sec. 7. RCW 59.18.290 and 2019 c 356 s 10 are each amended to read as follows:

(1) It is unlawful for the landlord to remove or exclude from the premises the tenant thereof except under a court order so authorizing. Any tenant so removed or excluded in violation of this section may recover possession of the property or terminate the rental agreement and, in either case, may recover the actual damages sustained. The prevailing party may recover the costs of suit or arbitration and reasonable attorneys' fees.

(2) It is unlawful for the tenant to hold over in the premises or exclude the landlord therefrom after the termination of the rental agreement except under a valid court order so authorizing. Any landlord so deprived of possession of premises in violation of this section may recover possession of the property and damages sustained by him or her, and the prevailing party may recover his or her costs of suit or arbitration and reasonable attorneys' fees subject to subsections (3) and (4) of this section.

(3) Where the court has entered a judgment in favor of the landlord restoring possession of the property to the landlord, the court may award reasonable attorneys' fees to the landlord; however, the court shall not award attorneys' fees in the following instances:

(a) If the judgment for possession is entered after the tenant failed to ~~((appear))~~ respond to a pleading or other notice requiring a response authorized under this chapter; or

(b) If the total amount of rent awarded in the judgment for rent is equal to or less than two months of the tenant's monthly contract rent or one thousand two hundred dollars, whichever is greater.

(4) If a tenant has filed a motion to stay a writ of restitution from execution, the court may only award attorneys' fees to the landlord if the tenant is permitted to be reinstated pursuant to RCW 59.18.410(3). Any attorneys' fees awarded shall be subject to repayment pursuant to RCW 59.18.410(3).

Sec. 8. RCW 59.18.140 and 2019 c 105 s 1 are each amended to read as follows:

(1) The tenant shall conform to all reasonable obligations or restrictions, whether denominated by the landlord as rules, rental agreement, rent, or otherwise, concerning the use, occupation, and maintenance of his or her dwelling unit, appurtenances thereto, and the property of which the dwelling unit is a part if such obligations and restrictions are not in violation of any of the terms of this chapter and are not otherwise contrary to law, and if such obligations and restrictions are brought to the attention of the tenant at the time of his or her initial occupancy of the dwelling unit and thus become part of the rental agreement.

(2) The tenant may propose that the date rent is due in the rental agreement be altered to a different due date of the month if the request is submitted in writing and the tenant can demonstrate that

his or her primary source of income is a regular, monthly source of governmental assistance that is not received until after the date rent is due. The landlord shall agree to such a proposal if the proposed new due date is not more than five days later than the original rent due date. If the tenant can demonstrate that their source of regular, monthly governmental assistance is not received until more than five days after the original rent due date, a landlord may retain the original rent due date but must provide the tenant a one-time option to pay one month's rent in equal installments over three months. Nothing in this section precludes the landlord and the tenant from agreeing to a different rent due date or other arrangements.

(3) Except for termination of tenancy and an increase in the amount of rent, after thirty days written notice to each affected tenant, a new rule of tenancy may become effective upon completion of the term of the rental agreement or sooner upon mutual consent.

~~((3))~~ (4)(a) Except as provided in (b) of this subsection, a landlord shall provide a minimum of sixty days' prior written notice of an increase in the amount of rent to each affected tenant, and any increase in the amount of rent may not become effective prior to the completion of the term of the rental agreement.

(b) If the rental agreement governs a subsidized tenancy where the amount of rent is based on the income of the tenant or circumstances specific to the subsidized household, a landlord shall provide a minimum of thirty days' prior written notice of an increase in the amount of rent to each affected tenant. An increase in the amount of rent may become effective upon completion of the term of the rental agreement or sooner upon mutual consent.

Sec. 9. RCW 43.31.605 and 2019 c 356 s 12 are each amended to read as follows:

(1)(a) Subject to the availability of funds for this purpose, the landlord mitigation program is created and administered by the department. The department shall have such rule-making authority as the department deems necessary to administer the program.

(b) The following types of claims related to landlord mitigation for renting private market rental units to low-income tenants using a housing subsidy program are eligible for reimbursement from the landlord mitigation program account:

(i) Up to one thousand dollars for improvements identified in RCW 59.18.255(1)(a). In order to be eligible for reimbursement under this subsection (1)(b)(i), the landlord must pay for the first five hundred dollars for improvements, and rent to the tenant whose housing subsidy program was conditioned on the real property passing inspection. Reimbursement under this subsection (1)(b)(i) may also include up to fourteen days of lost rental income from the date of offer of housing to the applicant whose housing subsidy program was conditioned on the real property passing inspection until move in by that applicant;

(ii) Reimbursement for damages as reflected in a judgment obtained against the tenant through either an unlawful detainer proceeding, or through a civil action in a court of competent jurisdiction after a hearing;

(iii) Reimbursement for damages established pursuant to subsection (2) of this section; and

(iv) Reimbursement for unpaid rent and unpaid utilities, provided that the landlord can evidence it to the department's satisfaction.

(c) Claims related to landlord mitigation for an unpaid judgment for rent, late fees, attorneys' fees, and costs after a court order pursuant to RCW 59.18.410(3), including any unpaid portion of the judgment after the tenant defaults on the payment plan pursuant to RCW 59.18.410(3)(c), are eligible for reimbursement from the landlord mitigation program account and are exempt from any postjudgment interest required under RCW

4.56.110. Any claim for reimbursement made pursuant to RCW 59.18.410(3)(d)(ii) must be accompanied by a court order staying the writ of restitution pursuant to RCW 59.18.410(3). Any claim for reimbursement under this subsection (1)(c) is not an entitlement.

(i) The department shall provide for a form on its web site for tenants and landlords to apply for reimbursement funds for the landlord pursuant to this subsection (1)(c).

(ii) The form must include: (A) Space for the landlord and tenant to provide names, mailing addresses, phone numbers, date of birth for the tenant, and any other identifying information necessary for the department to process payment; (B) the landlord's statewide vendor identification number and how to obtain one; (C) name and address to whom payment must be made; (D) the amount of the judgment with instructions to include any other supporting documentation the department may need to process payment; (E) instructions for how the tenant is to reimburse the department under (c)(iii) of this subsection; (F) a description of the consequences if the tenant does not reimburse the department as provided in this subsection (1)(c); (G) a signature line for the landlord and tenant to confirm that they have read and understood the contents of the form and program; and (H) any other information necessary for the operation of the program. If the tenant has not signed the form after the landlord has made good faith efforts to obtain the tenant's signature, the landlord may solely submit the form but must attest to the amount of money owed and sign the form under penalty of perjury.

(iii) When a landlord has been reimbursed pursuant to this subsection (1)(c), the tenant for whom payment was made shall reimburse the department by depositing the amount disbursed from the landlord mitigation program account into the court registry of the superior court in which the judgment was entered. The tenant or other interested party may seek an ex parte order of the court under the unlawful detainer action to order such funds to be disbursed by the court. Upon entry of the order, the court clerk shall disburse the funds and include a case number with any payment issued to the department. If directed by the court, a clerk shall issue any payments made by a tenant to the department without further court order.

(iv) The department may deny an application made by a tenant who has failed to reimburse the department for prior payments issued pursuant to this subsection (1)(c).

(v) With any disbursement from the account to the landlord, the department shall notify the tenant at the address provided within the application that a disbursement has been made to the landlord on the tenant's behalf and that failure to reimburse the account for the payment through the court registry may result in a denial of a future application to the account pursuant to this subsection (1)(c). The department may include any other additional information about how to reimburse the account it deems necessary to fully inform the tenant.

(vi) The department's duties with respect to obtaining reimbursement from the tenant to the account are limited to those specified within this subsection (1)(c).

(vii) If at any time funds do not exist in the landlord mitigation program account to reimburse claims submitted under this subsection (1)(c), the department must create and maintain a waitlist and distribute funds in the order the claims are received pursuant to subsection (6) of this section. Payment of any claims on the waitlist shall be made only from the landlord mitigation program account. The department shall not be civilly or criminally liable and may not have any penalty or cause of action of any nature arise against it regarding the provision or lack of provision of funds for reimbursement.

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

(2) In order for a claim under subsection (1)(b)(iii) of this section to be eligible for reimbursement from the landlord mitigation program account, a landlord must:

(a) Have ensured that the rental property was inspected at the commencement of the tenancy by both the tenant and the landlord or landlord's agent and that a detailed written move-in property inspection report, as required in RCW 59.18.260, was prepared and signed by both the tenant and the landlord or landlord's agent;

(b) Make repairs and then apply for reimbursement to the department;

(c) Submit a claim on a form to be determined by the department, signed under penalty of perjury; and

(d) Submit to the department copies of the move-in property inspection report specified in (a) of this subsection and supporting materials including, but not limited to, before repair and after repair photographs, videos, copies of repair receipts for labor and materials, and such other documentation or information as the department may request.

(3) The department shall make reasonable efforts to review a claim within ten business days from the date it received properly submitted and complete claims to the satisfaction of the department. In reviewing a claim pursuant to subsection (1)(b) of this section, and determining eligibility for reimbursement, the department must receive documentation, acceptable to the department in its sole discretion, that the claim involves a private market rental unit rented to a low-income tenant who is using a housing subsidy program.

(4) Claims pursuant to subsection (1)(b) of this section related to a tenancy must total at least five hundred dollars in order for a claim to be eligible for reimbursement from the program. While claims or damages may exceed five thousand dollars, total reimbursement from the program may not exceed five thousand dollars per tenancy.

(5) Damages, beyond wear and tear, that are eligible for reimbursement include, but are not limited to: Interior wall gouges and holes; damage to doors and cabinets, including hardware; carpet stains or burns; cracked tiles or hard surfaces; broken windows; damage to household fixtures such as disposal, toilet, sink, sink handle, ceiling fan, and lighting. Other property damages beyond normal wear and tear may also be eligible for reimbursement at the department's discretion.

(6) All reimbursements for eligible claims shall be made on a first-come, first-served basis, to the extent of available funds. The department shall use best efforts to notify the tenant of the amount and the reasons for any reimbursements made.

(7) The department, in its sole discretion, may inspect the property and the landlord's records related to a claim, including the use of a third-party inspector as needed to investigate fraud, to assist in making its claim review and determination of eligibility.

(8) A landlord in receipt of reimbursement from the program pursuant to subsection (1)(b) of this section is prohibited from:

(a) Taking legal action against the tenant for damages attributable to the same tenancy; or

(b) Pursuing collection, or authorizing another entity to pursue collection on the landlord's behalf, of a judgment against the tenant for damages attributable to the same tenancy.

(9) A landlord denied reimbursement under subsection (1)(b)(iii) of this section may seek to obtain a judgment from a court of competent jurisdiction and, if successful, may resubmit a claim for damages supported by the judgment, along with a certified copy of the judgment. The department may reimburse the landlord for that portion of such judgment that is based on damages reimbursable under the landlord mitigation program, subject to the limitations set forth in this section.

(10) Determinations regarding reimbursements shall be made by the department in its sole discretion.

(11) The department must establish a web site that advertises the landlord mitigation program, the availability of reimbursement from the landlord mitigation program account, and maintains or links to the agency rules and policies established pursuant to this section.

(12) Neither the state, the department, or persons acting on behalf of the department, while acting within the scope of their employment or agency, is liable to any person for any loss, damage, harm, or other consequence resulting directly or indirectly from the department's administration of the landlord mitigation program or determinations under this section.

(13)(a) A report to the appropriate committees of the legislature on the effectiveness of the program and recommended modifications shall be submitted to the governor and the appropriate committees of the legislature by January 1, 2021. In preparing the report, the department shall convene and solicit input from a group of stakeholders to include representatives of large multifamily housing property owners or managers, small rental housing owners in both rural and urban markets, a representative of tenant advocates, and a representative of the housing authorities.

(b) The report shall include discussion of the effectiveness of the program as well as the department's recommendations to improve the program, and shall include the following:

(i) The number of total claims and total amount reimbursed to landlords by the fund;

(ii) Any indices of fraud identified by the department;

(iii) Any reports by the department regarding inspections authorized by and conducted on behalf of the department;

(iv) An outline of the process to obtain reimbursement for improvements and for damages from the fund;

(v) An outline of the process to obtain reimbursement for lost rent due to the rental inspection and tenant screening process, together with the total amount reimbursed for such damages;

(vi) An evaluation of the feasibility for expanding the use of the mitigation fund to provide up to ninety-day no interest loans to landlords who have not received timely rental payments from a housing authority that is administering section 8 rental assistance;

(vii) Any other modifications and recommendations made by stakeholders to improve the effectiveness and applicability of the program.

(14) As used in this section:

(a) "Housing subsidy program" means a housing voucher as established under 42 U.S.C. Sec. 1437 as of January 1, 2018, or other housing subsidy program including, but not limited to, valid short-term or long-term federal, state, or local government, private nonprofit, or other assistance program in which the tenant's rent is paid either partially by the program and partially by the tenant, or completely by the program directly to the landlord;

(b) "Low-income" means income that does not exceed eighty percent of the median income for the standard metropolitan statistical area in which the private market rental unit is located; and

(c) "Private market rental unit" means any unit available for rent that is owned by an individual, corporation, limited liability company, nonprofit housing provider, or other entity structure, but does not include housing acquired, or constructed by a public housing agency under 42 U.S.C. Sec. 1437 as it existed on January 1, 2018.

NEW SECTION. Sec. 10. Sections 5 through 9 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."

On page 1, line 1 of the title, after "protections;" strike the remainder of the title and insert "amending RCW 59.18.057, 59.18.063, 59.18.365, 59.18.410, 59.18.230, 59.18.290, 59.18.140, and 43.31.605; creating a new section; and declaring an emergency."

MOTION

Senator Kuderer moved that the following floor amendment no. 1163 by Senator Kuderer be adopted:

On page 10, beginning on line 1, after "(d)" strike all material through "(e))" on line 6 and insert "A tenant who has been served with three or more notices to pay or vacate for failure to pay rent as set forth in RCW 59.12.040 within twelve months prior to the notice to pay or vacate upon which the proceeding is based may not seek relief under this subsection (3).

(e)"

Correct any internal references accordingly.

Beginning on page 13, line 28, strike all of section 8

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 20, line 15, after "59.18.290," strike "59.18.140,"

Senators Kuderer and Zeiger 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 floor amendment no. 1163 by Senator Kuderer on page 10, line 1 to striking floor amendment no. 1062.

The motion by Senator Kuderer carried and floor amendment no. 1163 was adopted by voice vote.

MOTION

Senator Wilson, L. moved that the following floor amendment no. 1165 by Senators Wilson, L. and Zeiger be adopted:

On page 20, after line 8, insert the following:

NEW SECTION. Sec. 10. A new section is added to chapter 35.21 RCW to read as follows:

A city or town of any class may not enact, maintain, or enforce ordinances or other provisions that prohibit for any period of time any evictions of tenants by landlords in single-family or multifamily residential rental units or manufactured/mobile home communities as authorized under chapter 59.12, 59.18, or 59.20 RCW unless the city or town compensates the landlord for the cost of rent, as defined in RCW 59.18.030.

NEW SECTION. Sec. 11. A new section is added to chapter 35A.21 RCW to read as follows:

A code city may not enact, maintain, or enforce ordinances or other provisions that prohibit for any period of time any evictions of tenants by landlords in single-family or multifamily residential rental units or manufactured/mobile home communities as authorized under chapter 59.12, 59.18, or 59.20 RCW unless the code city compensates the landlord for the cost of rent, as defined in RCW 59.18.030.

NEW SECTION. Sec. 12. A new section is added to chapter 36.01 RCW to read as follows:

A county may not enact, maintain, or enforce ordinances or other provisions that prohibit for any period of time any evictions of tenants by landlords in single-family or multifamily residential rental units or manufactured/mobile home communities as authorized under chapter 59.12, 59.18, or 59.20 RCW unless the

county compensates the landlord for the cost of rent, as defined in RCW 59.18.030."

Renumber the remaining section consecutively.

On page 20, line 15, after "43.31.605;" insert "adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.01 RCW;"

Senator Wilson, L. spoke in favor of adoption of the amendment to the striking amendment.

Senator Kuderer spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1165 by Senators Wilson, L. and Zeiger on page 20, after line 8 to striking floor amendment no. 1062.

The motion by Senator Wilson, L. did not carry and floor amendment no. 1165 was not adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Wilson, L. and without objection, floor amendment no. 1166 by Senators Wilson, L. and Zeiger on page 20, line 9 to striking floor amendment no. 1062 was withdrawn.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1062 by Senator Kuderer as amended to Substitute Senate Bill No. 6378.

The motion by Senator Kuderer carried and striking floor amendment no. 1062 as amended was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Engrossed Substitute Senate Bill No. 6378 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer, Zeiger 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. 6378.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6378 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick and Wilson, L.

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6378, having received the 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

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

SENATE BILL NO. 6641, by Senators O'Ban, Conway, and Wilson, C.

Increasing the availability of certified sex offender treatment providers.

MOTION

On motion of Senator O'Ban, Substitute Senate Bill No. 6641 was substituted for Senate Bill No. 6641 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator O'Ban moved that the following striking floor amendment no. 1152 by Senator O'Ban be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 18.155.020 and 2004 c 38 s 3 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) "Certified sex offender treatment provider" means a licensed, certified, or registered health professional who is certified to examine and treat sex offenders pursuant to chapters 9.94A and 13.40 RCW and sexually violent predators under chapter 71.09 RCW.

(2) "Certified affiliate sex offender treatment provider" means a licensed, certified, or registered health professional who is certified as an affiliate to examine and treat sex offenders pursuant to chapters 9.94A and 13.40 RCW and sexually violent predators under chapter 71.09 RCW under the supervision of a ~~((certified sex offender treatment provider))~~ qualified supervisor.

(3) "Department" means the department of health.

(4)(a) "Qualified supervisor" means:

(i) A person who meets the requirements for certification as a sex offender treatment provider;

(ii) A person who, at the time supervision is provided, meets a lifetime experience threshold of having provided at least two thousand hours of direct sex offender specific treatment and assessment services and who continues to maintain professional involvement in the field; or

(iii) A person who, at the time supervision is provided, meets a lifetime experience threshold of at least two years of full-time work in a state-run facility or state-run treatment program providing direct sex offender specific treatment and assessment services and who continues to maintain professional involvement in the field.

(b) A qualified supervisor not credentialed by the department as a sex offender treatment provider must sign and submit to the department an attestation form provided by the department stating under penalty of perjury that the qualified supervisor has met the requisite education, training, or experience requirements and that the qualified supervisor is able to substantiate the qualified supervisor's claim to have met the requirements for education, training, or experience.

(5) "Secretary" means the secretary of health.

~~((5))~~ (6) "Sex offender treatment provider" or "affiliate sex offender treatment provider" means a person who counsels or treats sex offenders accused of or convicted of a sex offense as defined by RCW 9.94A.030.

Sec. 2. RCW 18.155.030 and 2004 c 38 s 4 are each amended to read as follows:

(1) No person shall represent himself or herself as a certified sex offender treatment provider or certified affiliate sex offender treatment provider without first applying for and receiving a certificate pursuant to this chapter.

(2) Only a certified sex offender treatment provider, or certified affiliate sex offender treatment provider who has completed at least fifty percent of the required hours under the supervision of a ~~((certified sex offender treatment provider))~~ qualified supervisor, may perform or provide the following services:

(a) ~~((Evaluations conducted for the purposes of and pursuant to RCW 9.94A.670 and 13.40.160;~~

~~(b))~~ Treatment or evaluation of convicted level III sex offenders who are sentenced and ordered into treatment pursuant to chapter 9.94A RCW and adjudicated level III juvenile sex offenders who are ordered into treatment pursuant to chapter 13.40 RCW; or

~~((c))~~ (b) Except as provided under subsection (3) of this section, treatment of sexually violent predators who are conditionally released to a less restrictive alternative pursuant to chapter 71.09 RCW.

(3) A certified sex offender treatment provider, or certified affiliate sex offender treatment provider who has completed at least fifty percent of the required hours under the supervision of a ~~((certified sex offender treatment provider))~~ qualified supervisor, may not perform or provide treatment of sexually violent predators under subsection (2)~~((c))~~ (b) of this section if the treatment provider has been:

(a) Convicted of a sex offense, as defined in RCW 9.94A.030;

(b) Convicted in any other jurisdiction of an offense that under the laws of this state would be classified as a sex offense as defined in RCW 9.94A.030; or

(c) Suspended or otherwise restricted from practicing any health care profession by competent authority in any state, federal, or foreign jurisdiction.

(4) Certified sex offender treatment providers and certified affiliate sex offender treatment providers may perform or provide the following service: Treatment or evaluation of convicted level I and level II sex offenders who are sentenced and ordered into treatment pursuant to chapter 9.94A RCW and adjudicated juvenile level I and level II sex offenders who are sentenced and ordered into treatment pursuant to chapter 13.40 RCW.

(5) Employees of state-run facility or state-run treatment or education programs are not required to be a certified affiliate provider to do the work described in this section as part of their job duties if not pursuing certification under this chapter.

Sec. 3. RCW 18.155.075 and 2006 c 134 s 2 are each amended to read as follows:

The department shall issue an affiliate certificate to any applicant who meets the following requirements:

(1) Successful completion of an educational program approved by the secretary or successful completion of alternate training which meets the criteria of the secretary;

(2) Successful completion of an examination administered or approved by the secretary;

(3) Proof of supervision by a ~~((certified sex offender treatment provider))~~ qualified supervisor;

(4) Not having engaged in unprofessional conduct or being unable to practice with reasonable skill and safety as a result of a physical or mental impairment;

(5) Not convicted of a sex offense, as defined in RCW 9.94A.030 or convicted in any other jurisdiction of an offense that under the laws of this state would be classified as a sex offense as defined in RCW 9.94A.030; and

(6) Other requirements as may be established by the secretary that impact the competence of the sex offender treatment provider.

Sec. 4. RCW 18.155.080 and 2004 c 38 s 7 are each amended to read as follows:

The secretary shall establish standards and procedures for approval of the following:

(1) Educational programs and alternate training, which must consider credit for experience obtained through work in a state-run facility or state-run treatment or education program in Washington or in another state or territory of the United States;

(2) Examination procedures;

(3)(a) Certifying applicants who have a comparable certification in another jurisdiction, who must be allowed to receive consideration of certification if:

(i) They hold or have held within the past thirty-six months a credential in good standing from another state or territory of the United States that the secretary with advice from the board under section 5 of this act deems to be substantially equivalent to sex offender treatment provider certification in Washington; or

(ii) They meet a lifetime experience threshold of having provided at least two thousand hours of direct sex offender specific treatment and assessment services, or two years full-time experience working in a state-run facility or state-run treatment or education program providing direct sex offender specific treatment and assessment services, and continue to maintain professional involvement in the field;

(b) Nothing in (a) of this subsection prohibits the secretary from requiring background checks as a condition of receiving a credential;

(4) Application method and forms;

(5) Requirements for renewals of certificates;

(6) Requirements of certified sex offender treatment providers and certified affiliate sex offender treatment providers who seek inactive status;

(7) Other rules, policies, administrative procedures, and administrative requirements as appropriate to carry out the purposes of this chapter.

(8) In construing the requirements of this section, the applicant may sign attestation forms under penalty of perjury indicating that the applicant has participated in the required training and that the applicant is able to substantiate the applicant's claim to have met the requirements for hours of training if such substantiation is requested. Substantiation may include letters of recommendation from experts in the field with personal knowledge of the applicant's qualifications and experience to treat sex offenders in the community.

(9) Employees of a state-run facility or state-run treatment or education program do not need to be licensed as a certified affiliate sex offender treatment provider to obtain the necessary experience requirements upon demonstrating proof of supervision by a qualified supervisor.

NEW SECTION. Sec. 5. A new section is added to chapter 18.155 RCW to read as follows:

(1) The sexual offender treatment providers advisory committee, originally created under chapter 3, section 805, Laws of 1990, is reestablished to advise the secretary concerning the administration of this chapter.

(2) The secretary shall appoint the members of the advisory committee, which shall consist of the following persons:

(a) One superior court judge;

(b) Three sex offender treatment providers, including at least one representative of the Washington association for the treatment of sexual abusers;

(c) One mental health practitioner who specializes in treating victims of sexual assault;

(d) One defense attorney with experience in representing persons charged with sexual offenses;

(e) One representative from the Washington association of prosecuting attorneys;

(f) The secretary of the department of social and health services or the secretary's designee;

(g) The secretary of the department of corrections or the secretary's designee; and

(h) The secretary of the department of children, youth, and families or the secretary's designee.

(3) The advisory committee shall be a permanent body. The members shall serve staggered six-year terms, to be set by the secretary. No person other than the members representing the departments of social and health services, children, youth, and families, and corrections may serve more than two consecutive terms.

(4) The secretary may remove any member of the advisory committee for cause as specified by rule. In the case of a vacancy, the secretary shall appoint a person to serve for the remainder of the unexpired term.

(5) The advisory committee shall provide advice to the secretary concerning:

(a) Certification procedures under this chapter and their implementation;

(b) Standards maintained under RCW 18.155.080, and advice on individual applications for certification;

(c) Issues pertaining to maintaining a healthy workforce of certified sex offender treatment providers to meet the needs of the state of Washington; and

(d) Recommendations for reform of regulatory or administrative practices of the department, the department of social and health services, or the department of corrections that are within the purview and expertise of the advisory committee. The advisory committee may submit recommendations requiring statutory reform to the office of the governor, the secretary of the senate, and the chief clerk of the house of representatives.

(6) Committee members shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(7) The advisory committee shall elect officers as deemed necessary to administer its duties. A simple majority of the advisory committee members currently serving shall constitute a quorum of the advisory committee.

(8) Members of the advisory committee shall be residents of the state of Washington.

(9) Members of the advisory committee who are sex offender treatment providers must have a minimum of five years of extensive work experience in treating sex offenders to qualify for appointment to the advisory committee. The sex offender treatment providers on the advisory committee must be certified under this chapter.

(10) The advisory committee shall meet at times as necessary to conduct advisory committee business.

NEW SECTION. Sec. 6. The following sections are decodified:

(1) RCW 18.155.900 (Index, part headings not law—1990 c 3);

(2) RCW 18.155.901 (Severability—1990 c 3); and

(3) RCW 18.155.902 (Effective dates—Application—1990 c 3)."

On page 1, line 2 of the title, after "providers;" strike the remainder of the title and insert "amending RCW 18.155.020, 18.155.030, 18.155.075, and 18.155.080; adding a new section to chapter 18.155 RCW; and decodifying RCW 18.155.900, 18.155.901, and 18.155.902."

Senator O'Ban spoke in favor of adoption of the striking amendment.

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1152 by Senator O'Ban to Senate Bill No. 6641.

The motion by Senator O'Ban carried and striking floor amendment no. 1152 was adopted by voice vote.

MOTION

On motion of Senator O'Ban, the rules were suspended, Engrossed Substitute Senate Bill No. 6641 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 Senate Bill No. 6641.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6641 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6641, having received the 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 Wilson, L., Mullet, Short, Becker, Takko, King, Zeiger, Brown, Schoesler, Frockt, Hasegawa, Rolfes, Honeyford, Walsh, Van De Wege and Braun

Concerning agency responsibilities to regulated businesses and professions.

MOTIONS

On motion of Senator Wilson, L., 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 Wilson, L., the rules were suspended, 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 Wilson, L. 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. 6408.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6408 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

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. 6092, by Senators Wilson, C., Wellman, Hawkins, Kuderer and Mullet

Awarding diplomas posthumously.

MOTION

On motion of Senator Wilson, C., Substitute Senate Bill No. 6092 was substituted for Senate Bill No. 6092 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Wilson, C. moved that the following floor amendment no. 1144 by Senator Wilson, C. be adopted:

On page 2, beginning on line 19, after "(ii)" strike all material through "at" on line 20 and insert "Had completed at least seventy-five percent of the total number of credits required for graduation as established by the state board of education under RCW 28A.230.090 before"

Senator Wilson, C. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1144 by Senator Wilson, C. on page 2, line 19 to Substitute Senate Bill No. 6092.

The motion by Senator Wilson, C. carried and floor amendment no. 1144 was adopted by voice vote.

MOTIONS

On motion of Senator Wilson, C., the rules were suspended, Engrossed Substitute Senate Bill No. 6092 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Hawkins 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. 6092.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6092 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Ericksen

Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 6092, having received the 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. 6256, by Senators Wellman, Short and Hasegawa

Concerning the heating oil insurance program.

MOTION

On motion of Senator Wellman, Substitute Senate Bill No. 6256 was substituted for Senate Bill No. 6256 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Honeyford moved that the following floor amendment no. 967 by Senator Honeyford be adopted:

On page 10, after line 30, insert the following:

"**NEW SECTION. Sec. 11.** A new section is added to chapter 70.149 RCW to read as follows:

Any city that requires a heating oil tank owner to replace the heating oil tank is solely liable for any accidental release."

Renumber the remaining section consecutively and correct any internal references accordingly.

On page 1, beginning on line 3 of the title, after "adding" strike "a new section" and insert "new sections"

Senator Honeyford spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 967 by Senator Honeyford on page 10, after line 30 to Substitute Senate Bill No. 6256.

The motion by Senator Honeyford did not carry and floor amendment no. 967 was not adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Substitute Senate Bill No. 6256 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman 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. 6256.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6256 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6256, having received the 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. 6257, by Senators Wellman and Short

Concerning the underground storage tank reinsurance program.

MOTIONS

On motion of Senator Wellman, Substitute Senate Bill No. 6257 was substituted for Senate Bill No. 6257 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wellman, the rules were suspended, Substitute Senate Bill No. 6257 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wellman 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. 6257.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6257 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 6257, having received the 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. 5614, by Senators Rivers, Wagoner, Warnick, Becker, Short, Hawkins, Fortunato, Palumbo and O'Ban

Harming police animals.

MOTION

On motion of Senator Rivers, Substitute Senate Bill No. 5614 was substituted for Senate Bill No. 5614 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Rivers moved that the following striking floor amendment no. 1040 by Senator Rivers be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9A.76.200 and 2012 c 94 s 2 are each amended to read as follows:

(1) A person is guilty of harming a police dog, accelerant detection dog, or police horse, if he or she (~~maliciously~~) intentionally injures, disables, shoots, or kills by any means any dog or horse that the person knows or has reason to know to be a police dog or accelerant detection dog, as defined in RCW 4.24.410, or police horse, as defined in subsection (2) of this section, whether or not the dog or horse is actually engaged in police or accelerant detection work at the time of the injury.

(2) "Police horse" means any horse used or kept for use by a law enforcement officer in discharging any legal duty or power of his or her office.

(3) Harming a police dog, accelerant detection dog, or police horse is a class C felony.

(4) Harming a police dog, accelerant detection dog, or police horse is a class B felony if the person kills a police dog, accelerant detection dog, or police horse.

(5)(a) In addition to the criminal penalty provided in this section for harming a police dog:

(i) The court may impose a civil penalty of up to five thousand dollars for harming a police dog.

(ii) The court shall impose a civil penalty of at least five thousand dollars and may increase the penalty up to a maximum of ten thousand dollars for killing a police dog.

(b) Moneys collected must be distributed to the jurisdiction that owns the police dog.

Sec. 2. RCW 9.94A.515 and 2019 c 271 s 7, 2019 c 243 s 5, 2019 c 64 s 3, and 2019 c 46 s 5009 are each reenacted and amended to read as follows:

TABLE 2

CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

- XVI Aggravated Murder 1 (RCW 10.95.020)
- XV Homicide by abuse (RCW 9A.32.055)
- Malicious explosion 1 (RCW 70.74.280(1))
- Murder 1 (RCW 9A.32.030)
- XIV Murder 2 (RCW 9A.32.050)
- Trafficking 1 (RCW 9A.40.100(1))
- XIII Malicious explosion 2 (RCW 70.74.280(2))
- Malicious placement of an explosive 1 (RCW 70.74.270(1))
- XII Assault 1 (RCW 9A.36.011)
- Assault of a Child 1 (RCW 9A.36.120)

- Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
- Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)
- Rape 1 (RCW 9A.44.040)
- Rape of a Child 1 (RCW 9A.44.073)
- Trafficking 2 (RCW 9A.40.100(3))
- XI Manslaughter 1 (RCW 9A.32.060)
- Rape 2 (RCW 9A.44.050)
- Rape of a Child 2 (RCW 9A.44.076)
- Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)
- Vehicular Homicide, by the operation of any vehicle in a reckless manner (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)
- 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)
- 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))
- Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (causing bodily injury or death) (RCW 46.37.650(1)(b))
- Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)
- Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(b))
- 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 or Bump-fire Stock 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)
- Harming a Police Dog, Accelerant Detection Dog, or Police Horse (if the police dog, accelerant detection dog, or police horse is killed) (RCW 9A.76.200)
- 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)
- Theft from a Vulnerable Adult 1 (RCW 9A.56.400(1))
- 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)
- 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, 26.26B.050, 26.50.110, 26.52.070, or 74.34.145)
- 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)
- Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (RCW 46.37.650(1)(c))
- Perjury 1 (RCW 9A.72.020)
- Persistent prison misbehavior (RCW 9.94.070)
- Possession of a Stolen Firearm (RCW 9A.56.310)
- Rape 3 (RCW 9A.44.060)
- Rendering Criminal Assistance 1 (RCW 9A.76.070)
- Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(c))
- 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 4 (third domestic violence offense) (RCW 9A.36.041(3))

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

- 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)
- Hate Crime (RCW 9A.36.080)
- 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)
- 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)
- Manufacture of Untraceable Firearm with Intent to Sell (RCW 9.41.190)
- Manufacture or Assembly of an Undetectable Firearm or Untraceable Firearm (RCW 9.41.325)
- 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, Bump-Fire Stock, Undetectable Firearm, 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 Fish or Shellfish 1 (RCW 77.140.060(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.90.040)
- Counterfeiting (RCW 9.16.035(3))
- Electronic Data Service Interference (RCW 9A.90.060)
- Electronic Data Tampering 1 (RCW 9A.90.080)
- Electronic Data Theft (RCW 9A.90.100)
- 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, Lease-purchased, or Loaned Property (valued at five thousand 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 1 (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 from a Vulnerable Adult 2 (RCW 9A.56.400(2))
- Theft of Rental, Leased, Lease-purchased, or Loaned Property (valued at seven hundred fifty dollars or more but less than five thousand 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))"

On page 1, line 1 of the title, after "animal;" strike the remainder of the title and insert "amending RCW 9A.76.200; reenacting and amending RCW 9.94A.515; and prescribing penalties."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1040 by Senator Rivers to Substitute Senate Bill No. 5614.

The motion by Senator Rivers carried and striking floor amendment no. 1040 was adopted by voice vote.

MOTION

On motion of Senator Rivers, the rules were suspended, Engrossed Substitute Senate Bill No. 5614 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers and Dhingra 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. 5614.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5614 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Ericksen, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Darneille, Hasegawa and Saldaña
Excused: Senator Fortunato

ENGROSSED SUBSTITUTE SENATE BILL NO. 5614, having received the 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 3:10 p.m., on motion of Senator Lias, the Senate was declared to be at ease subject to the call of the President.

Senator Warnick announced a meeting of the Republican Caucus immediately upon going at ease.

Senator Lias announced a meeting of the Democratic Caucus immediately upon going at ease.

The Senate was called to order at 3:37 p.m. by President Habib.

SECOND READING

SENATE BILL NO. 6531, by Senators Braun, Takko and Schoesler

Concerning the performance of personal services by a craft distillery, distiller, spirits certificate of approval holder, or distributor. Revised for 1st Substitute: Concerning the performance of personal services by a craft distillery, distiller, or spirits certificate of approval holder.

MOTIONS

On motion of Senator Braun, 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 Braun, 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.

Senator Braun spoke in favor of passage of the bill.
Senators Keiser and Conway spoke on passage of the bill.

The President 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, 36; Nays, 11; Absent, 1; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Cleveland, Das, Dhingra, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Lias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Schoesler, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Carlyle, Conway, Darneille, Hasegawa, Kuderer, Padden, Saldaña, Salomon, Sheldon, Stanford and Van De Wege

Absent: Senator Ericksen
Excused: Senator Fortunato

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 Rivers, Senator Ericksen was excused.

MOTION

Senator O'Ban moved that the Senate advance to the ninth order of business.

Senator Lias objection to the motion by Senator O'Ban.
Senator O'Ban demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the motion by Senator O'Ban that the senate advance to the ninth order of business.

ROLL CALL

The Secretary called the roll on the motion by Senator O'Ban to advance to the ninth order of business and the motion did not carry by the following vote: Yeas, 19; Nays, 28; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Braun, Brown, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L., and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman, Wilson, C.

Excused: Senators Ericksen and Fortunato

SECOND READING

SENATE BILL NO. 6268, by Senators Rolfes, Kuderer, Wellman, Darneille, Hasegawa, Wilson, C. and Das

Preventing abusive litigation between intimate partners.

MOTIONS

On motion of Senator Rolfes, 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.

MOTION

Senator Kuderer moved that the following floor amendment no. 1069 by Senator Kuderer be adopted:

On page 4, line 4, after "charged", insert "to the unrestricted party"

Senator Kuderer spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1069 by Senator Kuderer on page 4, line 4 to Substitute Senate Bill No. 6268.

The motion by Senator Kuderer carried and floor amendment no. 1069 was adopted by voice vote.

MOTION

On motion of Senator Rolfes, the rules were suspended, Engrossed 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 Rolfes 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. 6268.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6268 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

ENGROSSED 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. 6358, by Senators Randall, Short, and Wilson, C.

Requiring medicaid managed care organizations to provide reimbursement of health care services provided by substitute providers.

MOTIONS

On motion of Senator Randall, 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 Randall, 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 Randall 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 Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

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.

SECOND READING

SENATE BILL NO. 6423, by Senators Cleveland, Darneille, and Wilson, C.

Concerning reports alleging child abuse and neglect.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Senate Bill No. 6423 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 Senate Bill No. 6423.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6423 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

SENATE BILL NO. 6423, having received the 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. 6073, by Senators Dhingra, Rivers, Lovelett, Saldaña, Wilson, C., Mullet, Keiser, Nguyen, Cleveland, Salomon, Randall, Rolfes, Darneille, Conway, Pedersen, Kuderer, Van De Wege, Das, Lias, Frockt, Hasegawa and Stanford

Providing menstrual hygiene products in public school bathrooms.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, Substitute Senate Bill No. 6073 was not substituted for Senate Bill No. 6073 and the substitute bill was not placed on second reading.

MOTION

On motion of Senator Dhingra, the rules were suspended, Senate Bill No. 6073 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra, Hawkins and Brown 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. 6073.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6073 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

SENATE BILL NO. 6073, having received the 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. 6483, by Senators Wilson, C. and Nguyen

Concerning rating requirements for child care providers.

MOTIONS

On motion of Senator Wilson, C., Substitute Senate Bill No. 6483 was substituted for Senate Bill No. 6483 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, C., 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 Wilson, C. 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, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Ericksen, Hasegawa and Short

Excused: Senator Fortunato

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. 5168, by Senators Hasegawa and Saldaña

Modifying notice and opportunity provisions relating to certain enforcement actions taken by a homeowners' or condominium association.

MOTIONS

On motion of Senator Hasegawa, Substitute Senate Bill No. 5168 was substituted for Senate Bill No. 5168 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. 5168 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 Substitute Senate Bill No. 5168.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5168 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Muzzall

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 5168, having received the 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. 6228, by Senators Kuderer, Darneille, Saldaña, Pedersen, Nguyen, Hasegawa, Carlyle, Lovelett, Cleveland, Billig, Keiser, McCoy, Lias, Hunt, Wilson, C., Randall, Mullet, Takko, Das, Dhingra and Stanford

Restoring voter eligibility for all persons convicted of a felony offense who are not in total confinement under the jurisdiction of the department of corrections.

MOTION

On motion of Senator Kuderer, Substitute Senate Bill No. 6228 was substituted for Senate Bill No. 6228 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Schoesler moved that the following floor amendment no. 989 by Senator Schoesler be adopted:

On page 1, line 1 of the title, after "to" strike all material through "corrections" on line 3 and insert "allowing convicted felons to vote before they have finished the terms of their sentences"

Senator Schoesler spoke in favor of adoption of the amendment.

Senator Schoesler demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Ericksen spoke in favor of adoption of the amendment. Senator Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Schoesler on page 1, line 1 to Substitute Senate Bill No. 6228.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Schoesler and the amendment was not adopted by the following vote: Yeas, 20; Nays, 28; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senator Fortunato.

MOTION

Senator Kuderer moved that the following floor amendment no. 959 by Senator Kuderer be adopted:

On page 2, line 26, after "a" strike "~~((date of birth))~~" and insert "date of birth"

On page 2, beginning on line 26, after "comparison" strike all material through "number," on line 29

On page 7, line 25, after "~~permanent~~)" insert "automatic"

Senators Kuderer and Zeiger spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 959 by Senator Kuderer on page 2, line 26 to Substitute Senate Bill No. 6228.

The motion by Senator Kuderer carried and floor amendment no. 959 was adopted by voice vote.

MOTION

Senator Short moved that the following floor amendment no. 988 by Senator Short be adopted:

On page 3, at the beginning of line 16, insert "includes community custody as directed under RCW 9.94A.507(1)(a)(i) as a result of a conviction for a sex offense upon a child, but"

On page 5, line 1, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, or community custody as directed under RCW 9.94A.507(1)(a)(i) as a result of a conviction for a sex offense upon a child"

On page 6, at the beginning of line 2, insert "includes community custody as directed under RCW 9.94A.507(1)(a)(i) as a result of a conviction for a sex offense upon a child, but"

On page 6, line 4, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the physical boundaries of a facility or institution operated or utilized"

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, or community custody as directed under RCW 9.94A.507(1)(a)(i) as a result of a conviction for a sex offense upon a child"

On page 7, line 35, after "total confinement" insert "includes community custody as directed under RCW 9.94A.507(1)(a)(i) as a result of a conviction for a sex offense upon a child, but"

On page 7, line 38, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, or community custody as directed under RCW 9.94A.507(1)(a)(i) as a result of a conviction for a sex offense upon a child"

Senator Short spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

Senator Short demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Liias spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Short on page 3, line 16 to Substitute Senate Bill No. 6228.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Short and the amendment was adopted by the following vote: Yeas, 36; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Ericksen, Frockt, Hawkins, Hobbs, Holy, Honeyford, King, Lovelett, McCoy, Mullet, Muzzall, O'Ban, Padden, Randall, Rivers, Rolfes, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, L. and Zeiger

Voting nay: Senators Darneille, Das, Dhingra, Hasegawa, Hunt, Keiser, Kuderer, Liias, Nguyen, Pedersen, Saldaña and Wilson, C.

Excused: Senator Fortunato.

MOTION

Senator Wagoner moved that the following floor amendment no. 990 by Senator Wagoner be adopted:

On page 3, at the beginning of line 16, insert "includes community custody as directed under RCW 9.94A.701(3)(b), but"

On page 5, line 1, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, or community custody as directed under RCW 9.94A.701(3)(b)"

On page 6, at the beginning of line 2, insert "includes community custody as directed under RCW 9.94A.701(3)(b), but"

On page 6, line 4, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the physical boundaries of a facility or institution operated or utilized"

under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, or community custody as directed under RCW 9.94A.701(3)(b)"

On page 7, line 35, after "total confinement" insert "includes community custody as directed under RCW 9.94A.701(3)(b), but"

On page 7, line 38, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, or community custody as directed under RCW 9.94A.701(3)(b)"

Senator Wagoner spoke in favor of adoption of the amendment.

Senator Wagoner demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Dhingra spoke against adoption of the amendment.

POINT OF ORDER

Senator Short: "Mr. President. What the good gentelady was referring to is inappropriate for this body and I might also say that you know, I think the victims of the shootings and all of the things that have been going on, I think they might disagree, but her reference to that was very inappropriate."

RULING BY THE PRESIDENT

President Habib: "I will confess, I actually personally did not hear it because I was attending to a different matter. What I will say, I've been told what was said, Senator Dhingra, I am going to ask that, in understanding how sensitive this bill is, these amendments are, I'm going to ask that we all try to be respectful. We've come so far, thirty-eight days, and I was going to say, just in a few minutes, how grateful I am to everyone here for having so much collegiality this session. I don't think I can remember any such, anything like it in the years I've been elected. So let's try to keep that. I know it is difficult on a contentious topic but if we could stay within the boundaries of this policy that would help everybody. Alright. Senator Dhingra please continue."

The President declared the question before the Senate to be the adoption of the amendment by Senator Wagoner on page 3, line 16 to Substitute Senate Bill No. 6228.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Wagoner and the amendment was not adopted by the following vote: Yeas, 21; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Salomon, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senator Fortunato.

MOTION

Senator O'Ban moved that further consideration of Substitute Senate Bill No. 6228 be deferred and the bill hold its place on the second reading calendar and that the Senate immediately consider Senate Bill No. 6515, adjusting the medicaid payment methodology for skilled nursing facilities.

Senator Liias objected to the motion by Senator O'Ban.

RULING BY THE PRESIDENT

President Habib: "Senator O'Ban's moved that the Senate defer consideration of Senate Bill No. 6228 and instead take up Senate Bill No. 6515. Senator Liias has objected. Senator O'Ban these are, it's a compound motion that you have made and so, I'm going to ask that we, I'm going to rule that we divide that question and take up your motion to defer consideration without, which if that fails to pass then you are free to make, or either way you are free to make another motion."

Senator O'Ban spoke in favor of the motion that the senate defer further consideration of Substitute Senate Bill No. 6228.

Senator Liias spoke against the motion to defer consideration.

Senator Schoesler demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senators Schoesler, Braun and Walsh spoke in favor of the motion to defer consideration.

Senator Billig spoke against the motion to defer consideration.

The President declared the question before the Senate to be the motion by Senator O'Ban that the senate defer further consideration of Substitute Senate Bill No. 6228.

ROLL CALL

The Secretary called the roll on the motion by Senator O'Ban to defer consideration on Substitute Senate Bill No. 6228 and the motion did not carry by the following vote: Yeas, 21; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Salomon, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senator Fortunato.

SPECIAL ORDER OF BUSINESS

Pursuant to Rule 18, the hour fixed for consideration of the special order of business having arrived, the President called the Senate to order. Further consideration of Substitute Senate Bill No. 6228 was deferred and the Senate immediately considered Senate Bill No. 5400 which had been named a special order earlier in the day.

PARLIAMENTARY INQUIRY

Senator O'Ban: "Mr. President, I understood your ruling to be that we would rule on the first motion, and then proceed to the second which was immediate consideration of Senate Bill No. 6515, the skilled nursing bill facility."

REPLY BY THE PRESIDENT

President Habib: "You can move for immediate consideration of that bill when this, so we currently have a bill before us, right? The underlying bill, 6228, is before us so a motion to immediately consider another bill is not in order at that time."

Senator O'Ban: "Well, Mr. President, when we are done with this bill, I want to reserve the right to stand and make this motion."

President Habib: "You can make that motion, and, when it is in order, and then there will be a question, there may be a question of whether or not it was subject or not to the cutoff resolution or not. That we don't know right now. That is not being ruled on at the moment. The proper time to bring a motion to immediately consider would be either had your original motion prevailed or if having failed following the completion of this bill. So, you can't bring that motion when there is another bill before the Senate."

SECOND READING

SENATE BILL NO. 5400, by Senators Conway, Bailey, Hunt, Zeiger, Wilson, C., Van De Wege, Hasegawa, Holy, Kuderer, Pedersen and Saldaña

Providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1.

MOTION

On motion of Senator Conway, Substitute Senate Bill No. 5400 was substituted for Senate Bill No. 5400 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Rivers moved that the following floor amendment no. 1171 by Senators Brown, Rivers, Short, Walsh and Wilson, L. be adopted:

On page 1, line 16, after "of" strike "three" and insert "five"

On page 1, line 17, after "exceed" strike "sixty-two dollars and fifty cents" and insert "one hundred dollars"

On page 2, line 10, after "of" strike "three" and insert "five"

On page 2, line 12, after "exceed" strike "sixty-two dollars and fifty cents" and insert "one hundred dollars"

Senators Rivers, Walsh and Becker spoke in favor of adoption of the amendment.

Senator Conway spoke against adoption of the amendment.

Senator Walsh spoke in favor of adoption of the amendment.

Senator Walsh demanded a roll call.

Senator Becker spoke in favor of adoption of the amendment.

PARLIAMENTARY INQUIRY

Senator Wagoner: "A roll call was requested."

REPLY BY THE PRESIDENT

President Habib: "I was just told that by the attorney and I was going to be so courteous as to let Senator Becker finish her remarks and then we are going to ask for that motion to be sustained."

Senator Becker again spoke in favor of adoption of the amendment.

The President declared that one-sixth of the members supported the demand for a roll call by Senator Walsh and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senators Brown, Rivers, Short, Walsh and Wilson, L on page 1, line 16, to Substitute Senate Bill No. 5400.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senators Brown, Rivers, Short, Walsh and Wilson, L and the amendment was not adopted by the following vote: Yeas, 24; Nays, 24; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, Hunt, King, Muzzall, O'Ban, Padden, Randall, Rivers, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Rolfes, Saldaña, Salomon, Stanford, Wellman and Wilson, C.

Excused: Senator Fortunato.

The Lieutenant Governor voting nay.

MOTION

On motion of Senator Conway, the rules were suspended, Substitute Senate Bill No. 5400 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator 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. 5400.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5400 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Fortunato

SUBSTITUTE SENATE BILL NO. 5400, having received the 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 Senate resumed consideration of Substitute Senate Bill No. 6228 which had been deferred earlier in the day.

EDITOR'S NOTE: The substitute bill was on second reading for purposes of amendments.

MOTION

Senator Sheldon moved that the following floor amendment no. 991 by Senator Sheldon be adopted:

On page 3, at the beginning of line 16, strike "does not include" and insert "includes"

On page 5, line 1, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, and confinement imposed as a sanction for a community custody violation under RCW 9.94A.633(1)"

On page 6, at the beginning of line 2, strike "does not include" and insert "includes"

On page 6, line 4, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, and confinement imposed as a sanction for a community custody violation under RCW 9.94A.633(1)"

On page 7, line 35, after "total confinement" strike "does not include" and insert "includes"

On page 7, line 38, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, and confinement imposed as a sanction for a community custody violation under RCW 9.94A.633(1)"

Senator Sheldon spoke in favor of adoption of the amendment.

Senator Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 991 by Senator Sheldon on page 3, line 16 to Substitute Senate Bill No. 6228.

The motion by Senator Sheldon did not carry and floor amendment no. 991 was not adopted by voice vote.

MOTION

Senator Holy moved that the following floor amendment no. 993 by Senator Holy be adopted:

On page 3, at the beginning of line 16, insert "includes community custody as directed under RCW 9.94A.701 (1)(b) or (2) as a result of a conviction for a violent offense or serious violent offense on a judge, prosecutor, sheriff, or law enforcement officer, but"

On page 5, line 1, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, or community custody as directed under RCW 9.94A.701 (1)(b) or (2) as a result of a conviction for a violent offense or serious violent offense on a judge, prosecutor, sheriff, or law enforcement officer"

On page 6, at the beginning of line 2, insert "includes community custody as directed under RCW 9.94A.701 (1)(b) or"

(2) as a result of a conviction for a violent offense or serious violent offense on a judge, prosecutor, sheriff, or law enforcement officer, but"

On page 6, line 4, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, or community custody as directed under RCW 9.94A.701 (1)(b) or (2) as a result of a conviction for a violent offense or serious violent offense on a judge, prosecutor, sheriff, or law enforcement officer"

On page 7, line 35, after "total confinement" insert "includes community custody as directed under RCW 9.94A.701 (1)(b) or (2) as a result of a conviction for a violent offense or serious violent offense on a judge, prosecutor, sheriff, or law enforcement officer, but"

On page 7, line 38, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, or community custody as directed under RCW 9.94A.701 (1)(b) or (2) as a result of a conviction for a violent offense or serious violent offense on a judge, prosecutor, sheriff, or law enforcement officer"

Senators Holy, Short and Becker spoke in favor of adoption of the amendment.

Senator Kuderer spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 993 by Senator Holy on page 3, line 16 to Substitute Senate Bill No. 6228.

The motion by Senator Holy did not carry and floor amendment no. 993 was not adopted by voice vote.

MOTION

Senator Becker moved that the following floor amendment no. 994 by Senator Becker be adopted:

On page 3, at the beginning of line 16, insert "includes community custody as directed under RCW 9.94A.701(1)(a) or 9.94A.507, but"

On page 5, line 1, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, or community custody as directed under RCW 9.94A.701(1)(a) or 9.94A.507"

On page 6, at the beginning of line 2, insert "includes community custody as directed under RCW 9.94A.701(1)(a) or 9.94A.507, but"

On page 6, line 4, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, or community custody as directed under RCW 9.94A.701(1)(a) or 9.94A.507"

On page 7, line 35, after "total confinement" insert "includes community custody as directed under RCW 9.94A.701(1)(a) or 9.94A.507, but"

On page 7, line 38, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the

physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, or community custody as directed under RCW 9.94A.701(1)(a) or 9.94A.507"

Senators Becker and Rivers spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

Senator Rolfes spoke on adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 994 by Senator Becker on page 3, line 16 to Substitute Senate Bill No. 6228.

The motion by Senator Becker carried and floor amendment no. 994 was adopted by voice vote.

MOTION

Senator Padden moved that the following floor amendment no. 996 by Senator Padden be adopted:

On page 3, at the beginning of line 16, insert "includes community custody as directed under RCW 9.94A.701(1)(b), but"

On page 5, line 1, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, or community custody as directed under RCW 9.94A.701(1)(b)"

On page 6, at the beginning of line 2, insert "includes community custody as directed under RCW 9.94A.701(1)(b), but"

On page 6, line 4, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, or community custody as directed under RCW 9.94A.701(1)(b)"

On page 7, line 35, after "total confinement" insert "includes community custody as directed under RCW 9.94A.701(1)(b), but"

On page 7, line 38, after "confinement" strike all material through "9.94A.030" and insert "means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060, or community custody as directed under RCW 9.94A.701(1)(b)"

Senator Padden spoke in favor of adoption of the amendment.

Senator Padden demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Kuderer spoke against adoption of the amendment.

Senator Ericksen spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Padden on page 3, line 16 to Substitute Senate Bill No. 6228.

ROLL CALL

THIRTY EIGHTH DAY, FEBRUARY 19, 2020

2020 REGULAR SESSION

The Secretary called the roll on the adoption of the amendment by Senator Padden and the amendment was not adopted by the following vote: Yeas, 23; Nays, 24; Absent, 1; Excused, 1.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Hawkins, Hobbs, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Wagoner, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Stanford, Wellman and Wilson, C.

Absent: Senator Walsh

Excused: Senator Fortunato.

MOTIONS

On motion of Senator Liias, further consideration of Substitute Senate Bill No. 6228 was deferred, and the bill held its place on the second reading calendar.

At 5:42 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Thursday, February 20, 2020.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon adjournment.

Senator Becker announced a meeting of the Republican Caucus immediately upon adjournment.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

THIRTY NINTH DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, February 20, 2020

The Senate was called to order at 12:01p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

MOTION

Pursuant to Rule 46, on motion of Senator Liias, and without objection, all committees were granted special leave to meet during the day's floor session.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

**SUBCOMMITTEE ON BEHAVIORAL HEALTH
REFERRALS**

Pursuant to Senate Rule 45(13) and without objection, notice was received from the Committee on Health & Long Term Care that the following measures had been re-referred to the Subcommittee on Behavioral Health:

- SECOND SUBSTITUTE HOUSE BILL NO. 2386,
- SUBSTITUTE HOUSE BILL NO. 2426,
- SUBSTITUTE HOUSE BILL NO. 2448,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2642,
- SECOND SUBSTITUTE HOUSE BILL NO. 2737,
- SUBSTITUTE HOUSE BILL NO. 2883,
- and HOUSE BILL NO. 2926.

MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 18, 2020

MR. PRESIDENT:
The House has passed:

- SUBSTITUTE HOUSE BILL NO. 1256,
- THIRD SUBSTITUTE HOUSE BILL NO. 1504,
- SECOND SUBSTITUTE HOUSE BILL NO. 1659,
- SECOND SUBSTITUTE HOUSE BILL NO. 2066,
- HOUSE BILL NO. 2092,
- SUBSTITUTE HOUSE BILL NO. 2244,
- HOUSE BILL NO. 2319,
- HOUSE BILL NO. 2352,
- SUBSTITUTE HOUSE BILL NO. 2353,
- SUBSTITUTE HOUSE BILL NO. 2409,
- HOUSE BILL NO. 2412,
- HOUSE BILL NO. 2416,
- HOUSE BILL NO. 2442,

- SUBSTITUTE HOUSE BILL NO. 2483,
- SECOND SUBSTITUTE HOUSE BILL NO. 2499,
- SUBSTITUTE HOUSE BILL NO. 2511,
- HOUSE BILL NO. 2540,
- SUBSTITUTE HOUSE BILL NO. 2555,
- HOUSE BILL NO. 2580,
- HOUSE BILL NO. 2596,
- HOUSE BILL NO. 2599,
- HOUSE BILL NO. 2601,
- SUBSTITUTE HOUSE BILL NO. 2607,
- HOUSE BILL NO. 2617,
- HOUSE BILL NO. 2641,
- HOUSE BILL NO. 2680,
- SUBSTITUTE HOUSE BILL NO. 2712,
- SUBSTITUTE HOUSE BILL NO. 2758,
- SUBSTITUTE HOUSE BILL NO. 2772,
- SUBSTITUTE HOUSE BILL NO. 2785,
- SUBSTITUTE HOUSE BILL NO. 2803,
- HOUSE BILL NO. 2826,
- HOUSE BILL NO. 2853,
- HOUSE BILL NO. 2858,
- HOUSE BILL NO. 2860,
- SUBSTITUTE HOUSE BILL NO. 2889,
- SUBSTITUTE HOUSE BILL NO. 2906,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

February 18, 2020

MR. PRESIDENT:

The House has passed:

- ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1775,
- ENGROSSED HOUSE BILL NO. 2040,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2138,
- ENGROSSED HOUSE BILL NO. 2228,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2405,
- ENGROSSED HOUSE BILL NO. 2501,
- ENGROSSED HOUSE BILL NO. 2623,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2731,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2783,
- ENGROSSED HOUSE BILL NO. 2792,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2816,
- ENGROSSED HOUSE BILL NO. 2819,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

February 19, 2020

MR. PRESIDENT:

The House has passed:

- HOUSE BILL NO. 1061,
- HOUSE BILL NO. 1590,
- SECOND SUBSTITUTE HOUSE BILL NO. 1733,
- HOUSE BILL NO. 2013,
- SUBSTITUTE HOUSE BILL NO. 2155,
- SUBSTITUTE HOUSE BILL NO. 2187,
- SUBSTITUTE HOUSE BILL NO. 2205,
- SUBSTITUTE HOUSE BILL NO. 2246,
- HOUSE BILL NO. 2251,
- SUBSTITUTE HOUSE BILL NO. 2295,
- SUBSTITUTE HOUSE BILL NO. 2356,
- HOUSE BILL NO. 2477,

HOUSE BILL NO. 2524,
 HOUSE BILL NO. 2669,
 HOUSE BILL NO. 2682,
 HOUSE BILL NO. 2747,
 HOUSE BILL NO. 2749,
 HOUSE BILL NO. 2757,
 SUBSTITUTE HOUSE BILL NO. 2773,
 SUBSTITUTE HOUSE BILL NO. 2794,
 HOUSE BILL NO. 2833,
 SUBSTITUTE HOUSE BILL NO. 2836,
 HOUSE BILL NO. 2837,
 HOUSE BILL NO. 2867,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6690 by Senators Liias and King

AN ACT Relating to aerospace business and occupation taxes and world trade organization compliance; reenacting and amending RCW 82.04.260; adding a new section to chapter 82.04 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6691 by Senators Carlyle, Sheldon, Hobbs, Honeyford, Rivers, Kuderer, Zeiger, Darneille, Braun, Cleveland, Brown, Saldaña, Warnick, Salomon, Holy, Walsh, Billig, Wilson, L., Stanford, Becker, Liias, Wilson, C., McCoy, Das, Hunt, Nguyen, Takko, Van De Wege, Wagoner, Hasegawa, Pedersen, O'Ban, Schoesler, Hawkins, Muzzall, Padden, Ericksen, Conway, Keiser, Lovelett and Randall

AN ACT Relating to the legislative chamber skylights; creating a new section; and making an appropriation.

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 1256 by House Committee on Transportation (originally sponsored by Lovick, Irwin, Valdez, Orwall, Kloba, Sells, Slatter, Riccelli, Gregerson, Ortiz-Self, Kilduff, Mead, Doglio, Goodman, Dolan, Peterson, Stonier, Reeves and Appleton)

AN ACT Relating to increasing monetary penalties for the unlawful use of a personal electronic device while driving a motor vehicle in a school, playground, or crosswalk speed zone; amending RCW 46.20.075 and 46.61.672; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

E2SHB 1503 by House Committee on Appropriations (originally sponsored by Smith, Hudgins and Stanford)

AN ACT Relating to registration and consumer protection obligations of data brokers; adding a new chapter to Title 19 RCW; creating a new section; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

3SHB 1504 by House Committee on Transportation (originally sponsored by Klippert and Goodman)

AN ACT Relating to impaired driving; amending RCW 9.94A.533, 9.94A.729, 10.21.055, 38.52.430, 46.20.245, 46.20.3101, 46.20.311, 46.20.385, 46.20.720, 46.20.740, 46.20.750, 46.55.113, 46.61.500, 46.61.5055, 46.61.5056, and 46.61.524; reenacting and amending RCW 46.20.355; repealing RCW 43.43.3951; prescribing penalties; and providing an effective date.

Referred to Committee on Law & Justice.

EHB 1552 by Representatives Dolan, Doglio, Fey, Senn, Appleton, Robinson, Ryu, Jinkins, Macri and Leavitt

AN ACT Relating to health care provider credentialing by health carriers; amending RCW 48.43.750; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long Term Care.

ESHB 1608 by House Committee on Health Care & Wellness (originally sponsored by Macri, Dolan, Slatter, Stonier, Robinson, Kilduff, Riccelli, Senn, Goodman, Tharinger, Jinkins, Davis, Cody, Appleton, Kloba, Ortiz-Self, Valdez, Frame, Pollet, Stanford, Tarleton and Leavitt)

AN ACT Relating to protecting patient care; adding a new section to chapter 43.70 RCW; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health & Long Term Care.

2SHB 1659 by House Committee on Finance (originally sponsored by Corry, Riccelli, Dufault, Dent, Mosbrucker, Chandler, Ybarra and Ormsby)

Modifying dates related to the application due date for health sciences and services authorities and their sales and use tax authority.

Referred to Committee on Ways & Means.

EHB 1694 by Representatives Morgan, Macri, Riccelli, Goodman, Jinkins, Cody, Stonier, Robinson, Appleton, Pollet, Gregerson and Frame

AN ACT Relating to allowing tenants to pay certain sums in installments; and adding a new section to chapter 59.18 RCW.

Referred to Committee on Financial Institutions, Economic Development & Trade.

ESHB 1754 by House Committee on Housing, Community Development & Veterans (originally sponsored by Santos, Jinkins and Pollet)

AN ACT Relating to the hosting of the homeless by religious organizations; amending RCW 36.01.290, 35.21.915, and 35A.21.360; and creating a new section.

Referred to Committee on Housing Stability & Affordability.

E3SHB 1775 by House Committee on Appropriations
(originally sponsored by Orwall, Frame, Wylie,
Gregerson and Macri)

AN ACT Relating to commercially sexually exploited children; amending RCW 9A.88.030, 13.40.070, 13.40.213, 7.68.801, 43.185C.260, and 74.14B.070; adding new sections to chapter 7.68 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

ESHB 2036 by House Committee on Health Care & Wellness (originally sponsored by Macri, Ormsby, Riccelli and Pollet)

AN ACT Relating to health system transparency; amending RCW 43.70.052, 70.01.040, 70.41.470, and 70.170.060; adding a new section to chapter 70.230 RCW; and providing an effective date.

Referred to Committee on Health & Long Term Care.

EHB 2040 by Representative MacEwen

AN ACT Relating to providing flexibility and accountability for nonhigh school districts; amending RCW 28A.545.030; and adding a new section to chapter 28A.545 RCW.

Referred to Committee on Early Learning & K-12 Education.

2SHB 2066 by House Committee on Transportation
(originally sponsored by Davis, Pellicciotti, Goodman,
Appleton, Sutherland, Graham, Klippert, Leavitt and
Pollet)

AN ACT Relating to restrictions on driver's licenses associated with certain criminal offenses; amending RCW 46.20.285; and providing an effective date.

Referred to Committee on Law & Justice.

HB 2092 by Representatives Mosbrucker, Chapman, Dye and Eslick

AN ACT Relating to huckleberry buyers retaining and disclosing records to law enforcement; and amending RCW 76.48.111.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

ESHB 2138 by House Committee on Rural Development, Agriculture, & Natural Resources (originally sponsored by Blake, Kretz, Chapman and Dent)

AN ACT Relating to requirements of signs on public land; adding a new section to chapter 77.12 RCW; adding a new section to chapter 79.02 RCW; adding a new section to chapter 79A.05 RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

EHB 2228 by Representatives Springer, Dent, Ramos, Griffey, Ryu, Appleton, Leavitt, Ormsby, Wylie and Goodman

AN ACT Relating to early deployment of state fire service resources; and amending RCW 43.43.960.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 2244 by House Committee on Transportation
(originally sponsored by Orcutt, Blake, Chapman,
Eslick, Barkis, Goehner and Irwin)

AN ACT Relating to the authorization of wheeled all-terrain vehicles on state highways; and amending RCW 46.09.455.

Referred to Committee on Transportation.

HB 2319 by Representatives Fitzgibbon and Vick

AN ACT Relating to the sale of liquor in kegs or containers containing four gallons or more of liquor; and amending RCW 66.28.200, 66.28.210, and 66.28.220.

Referred to Committee on Labor & Commerce.

HB 2352 by Representatives Tharinger, Fitzgibbon, Leavitt, Harris and Wylie

AN ACT Relating to the building for the arts program; and amending RCW 43.63A.750.

Referred to Committee on Ways & Means.

SHB 2353 by House Committee on Transportation
(originally sponsored by Blake and Dent)

AN ACT Relating to fire trailer vehicle registration and license plates; adding a new section to chapter 46.04 RCW; adding a new section to chapter 46.16A RCW; and providing an effective date.

Referred to Committee on Transportation.

E2SHB 2405 by House Committee on Appropriations
(originally sponsored by Duerr, Barkis, Fitzgibbon,
Shewmake, Hoff, Kloba, Corry, Gildon, Ybarra,
Jenkin, Pollet and Doglio)

AN ACT Relating to commercial property assessed clean energy and resilience; and adding a new chapter to Title 36 RCW.

Referred to Committee on Environment, Energy & Technology.

SHB 2409 by House Committee on Labor & Workplace Standards (originally sponsored by Kilduff, Pollet, Sells, Gregerson, Valdez and Ormsby)

AN ACT Relating to industrial insurance employer penalties, duties, and the licensing of third-party administrators; amending RCW 51.48.010, 51.48.017, 51.48.030, 51.48.040, 51.48.060, and 51.48.080; adding new sections to chapter 51.48 RCW; adding a new section to chapter 51.14 RCW; prescribing penalties; and providing effective dates.

Referred to Committee on Labor & Commerce.

HB 2412 by Representatives Stonier, MacEwen, Blake, Young, Eslick, Riccelli and Wylie

AN ACT Relating to domestic brewery and microbrewery retail licenses; amending RCW 66.24.244; and reenacting and amending RCW 66.24.240.

Referred to Committee on Labor & Commerce.

THIRTY NINTH DAY, FEBRUARY 20, 2020

2020 REGULAR SESSION

HB 2416 by Representatives Kilduff, Chopp, Leavitt, Macri, Cody, Stonier, Ormsby and Pollet
AN ACT Relating to disclosures of information and records related to forensic mental health services; and amending RCW 10.77.210 and 70.02.205.

Referred to Committee on Health & Long Term Care.

HB 2442 by Representatives Leavitt, Hudgins, Kloba and Smith
AN ACT Relating to privacy rights for Washington minors; and adding a new chapter to Title 19 RCW.

Referred to Committee on Environment, Energy & Technology.

EHB 2461 by Representatives Riccelli, Entenman, Fitzgibbon, Lovick, Ortiz-Self, Stonier, Cody, Shewmake, Ramos, Valdez, Mead, Kloba, Thai, Robinson, Santos, Macri, Pollet, Wylie and Doglio
AN ACT Relating to including health in the state transportation system policy goals; amending RCW 47.04.280; and creating a new section.

Referred to Committee on Transportation.

SHB 2483 by House Committee on Public Safety (originally sponsored by Van Werven, Goodman and Ormsby)
AN ACT Relating to vehicle impoundment and redemption following arrest for driving or being in physical control of a vehicle while under the influence of alcohol or drugs; amending RCW 46.55.113 and 46.55.360; creating a new section; and repealing RCW 46.55.350.

Referred to Committee on Law & Justice.

2SHB 2499 by House Committee on Appropriations (originally sponsored by Appleton, Klippert and Goodman)
AN ACT Relating to the certification of corrections officers; amending RCW 43.101.085, 43.101.010, 43.101.380, 43.101.400, 43.101.080, and 43.101.220; and adding new sections to chapter 43.101 RCW.

Referred to Committee on Law & Justice.

EHB 2501 by Representatives Eslick, Blake, Barkis, Ybarra and Shea
AN ACT Relating to allowable uses for the multiuse roadway safety account; and amending RCW 46.09.540.

Referred to Committee on Transportation.

SHB 2511 by House Committee on Labor & Workplace Standards (originally sponsored by Stonier, Sells, Gregerson, Ormsby, Chapman, Valdez, Chopp, Bergquist, Davis, Doglio, Frame, Ramel, Pollet, Macri, Goodman, Riccelli and Robinson)
AN ACT Relating to providing labor protections for domestic workers; amending RCW 49.60.040; adding a new chapter to Title 49 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Labor & Commerce.

HB 2540 by Representatives Maycumber, Lekanoff, Chapman, Senn, Rude, Mead, Walen, Duerr, Chambers, Riccelli, Harris, Van Werven, Stonier, Kloba, Leavitt, Davis, Doglio, Dufault, Pollet and Macri
AN ACT Relating to clarifying when campaign funds may be used for child care expenses; and amending RCW 42.17A.445.

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 2555 by House Committee on Civil Rights & Judiciary (originally sponsored by Goodman)
AN ACT Relating to background check requirements for firearms classified as other under federal firearms laws; adding a new section to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

ESHB 2576 by House Committee on Public Safety (originally sponsored by Ortiz-Self, Gregerson, Doglio, Pettigrew, Santos, Peterson, Lekanoff, Ryu, Pollet, Valdez, Thai, Macri, Fitzgibbon, Dolan, Davis, J. Johnson, Walen, Frame, Ormsby and Riccelli)
AN ACT Relating to private detention facilities; amending RCW 72.68.010 and 72.68.040; adding a new chapter to Title 70 RCW; creating a new section; repealing RCW 72.68.012; and declaring an emergency.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 2580 by Representatives Caldier, Callan, Dent, Corry and Frame
AN ACT Relating to requiring the department of children, youth, and families to submit a report regarding independent living services; and amending RCW 74.13.540.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 2596 by Representatives Boehnke, Kloba, Slatter, Entenman, Hudgins, Steele, Eslick and Santos
AN ACT Relating to fostering economic growth in Washington by supporting emerging businesses in the new space economy; and creating new sections.

Referred to Committee on Financial Institutions, Economic Development & Trade.

HB 2599 by Representatives Eslick, Kilduff, Doglio and Leavitt
AN ACT Relating to services for children with multiple handicaps; and repealing 74.26.010, 74.26.020, 74.26.030, 74.26.040, 74.26.050, and 74.26.060.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 2601 by Representatives Tharinger, Barkis, Leavitt and Ryu
AN ACT Relating to the authority of the parks and recreation commission to approve leases; and amending RCW 79A.05.025 and 79A.05.030.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 2607 by House Committee on Human Services & Early Learning (originally sponsored by Callan, Corry, Caldier, Eslick, Orwall, Entenman, Davis, Shewmake, Lekanoff, Thai, Chapman, Steele, Fey, Chopp, Robinson, Bergquist, Senn, Cody, Doglio, Goodman, Leavitt, Ramel, Santos, Ormsby, Pollet, Kloba and Macri)

AN ACT Relating to assisting homeless individuals in obtaining Washington state identicards; amending RCW 46.20.117; adding a new section to chapter 43.216 RCW; and adding a new section to chapter 46.20 RCW.

Referred to Committee on Transportation.

HB 2617 by Representatives Robinson, Ortiz-Self, Sells, Macri, Valdez, Lekanoff and Senn

AN ACT Relating to the lease or rental of surplus property of school districts; amending RCW 28A.335.040; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

EHB 2623 by Representatives Walen, Valdez, Macri, Chapman, Kilduff and Senn

AN ACT Relating to prohibiting the possession of firearms by persons convicted of certain criminal offenses; amending RCW 9.41.042, 13.40.0357, 13.40.160, 13.40.193, 13.40.265, and 70.02.240; and reenacting and amending RCW 9.41.040 and 70.02.230.

Referred to Committee on Law & Justice.

HB 2641 by Representatives Fey, Valdez, Lekanoff, Doglio, Tharinger, Pollet and Macri

AN ACT Relating to authorizing cities to provide passenger-only ferry service; and adding a new chapter to Title 35 RCW.

Referred to Committee on Transportation.

ESHB 2660 by House Committee on Education (originally sponsored by Riccelli, Harris, Santos, Shewmake, Leavitt, Steele, Stonier, Hudgins, Senn, Gregerson, Doglio, Peterson, Thai, Rude, Valdez, Chapman, Bergquist, Goodman, Callan, Tharinger, Maycumber, Pollet, Davis, Kretz and Macri)

AN ACT Relating to increasing the availability of school meals provided to public school students at no student cost; amending RCW 28A.235.290, 28A.150.260, and 28A.405.415; adding a new section to chapter 28A.235 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

HB 2680 by Representatives Chapman, Jenkin, Steele, Walsh, Tarleton, Ortiz-Self, Gildon, Tharinger, Springer, Santos, Kretz and Pollet

AN ACT Relating to establishing tribal representation on the emergency management council; and amending RCW 38.52.040.

Referred to Committee on State Government, Tribal Relations & Elections.

EHB 2687 by Representatives Barkis, Griffey, Corry, Blake, DeBolt, Irwin, Springer, Stokesbary, Mead and Van Werven

AN ACT Relating to planning for affordable housing under the growth management act; amending RCW 36.70A.210; and reenacting and amending RCW 36.70A.070.

Referred to Committee on Local Government.

SHB 2712 by House Committee on Rural Development, Agriculture, & Natural Resources (originally sponsored by Kretz, Riccelli, Maycumber, Lekanoff, Mosbrucker, Chopp, Walsh, Chapman, Harris, Blake, Dent, Pettigrew, Rude, Springer, Steele, Appleton, Caldier, Fitzgibbon, Leavitt, Eslick, Volz, Van Werven, Shea, Cody, Tharinger, Robinson, Young and Ormsby)

AN ACT Relating to requiring retailers to indicate the country of origin on beef sold to the public; and adding a new section to chapter 15.04 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

ESHB 2731 by House Committee on Education (originally sponsored by Irwin, Doglio, Davis, Pollet and Leavitt)

AN ACT Relating to reporting of student head injury information sustained during athletics and other activities; adding a new section to chapter 28A.600 RCW; and adding a new section to chapter 43.70 RCW.

Referred to Committee on Early Learning & K-12 Education.

EHB 2755 by Representatives Schmick, Caldier and Cody

AN ACT Relating to transparency regarding the cost of air ambulance services; amending RCW 43.371.060; and adding a new section to chapter 18.73 RCW.

Referred to Committee on Health & Long Term Care.

SHB 2758 by House Committee on Labor & Workplace Standards (originally sponsored by Corry, Pettigrew, Chandler, Davis, Eslick, McCaslin, Dent, Morgan, Gildon, Lekanoff and Pollet)

AN ACT Relating to recognizing posttraumatic stress disorders of 911 emergency dispatch personnel; and amending RCW 51.08.142.

Referred to Committee on Labor & Commerce.

SHB 2772 by House Committee on State Government & Tribal Relations (originally sponsored by Walsh, Hudgins and Pollet)

AN ACT Relating to the administration of election campaign activities and reporting statements of financial affairs; amending RCW 42.17A.005, 42.17A.105, 42.17A.700, 42.17A.710, and 42.17A.020; adding a new section to chapter 42.17A RCW; and declaring an emergency.

Referred to Committee on State Government, Tribal Relations & Elections.

THIRTY NINTH DAY, FEBRUARY 20, 2020

2020 REGULAR SESSION

ESHB 2783 by House Committee on Local Government (originally sponsored by Griffey, Springer and Walen)
AN ACT Relating to standardizing fire safety requirements for mobile on-demand gasoline providers; and adding a new section to chapter 19.27 RCW.

Referred to Committee on Local Government.

SHB 2785 by House Committee on Public Safety (originally sponsored by Lekanoff, Goodman, Klippert, Lovick and Peterson)
AN ACT Relating to the membership of the criminal justice training commission; and amending RCW 43.101.030.

Referred to Committee on Law & Justice.

EHB 2792 by Representatives Mosbrucker, Orwall, Steele, Lovick, Goehner, Sells, Rude, Ybarra, Dye, Davis, Pollet and Lekanoff
AN ACT Relating to missing and unidentified persons; amending RCW 68.50.320 and 68.50.330; and creating new sections.

Referred to Committee on Law & Justice.

SHB 2803 by House Committee on Finance (originally sponsored by Tarleton, Robinson, Sells, Lekanoff, Gregerson, Chapman, Orwall, Peterson, Tharinger and Pollet)
AN ACT Relating to authorizing the governor to enter into compacts with Indian tribes addressing certain state retail sales tax, certain state use tax, and certain state business and occupation tax revenues, as specified in a memorandum of understanding entered into by the state, Tulalip tribes, and Snohomish county, in January 2020, and including other terms necessary for the department of revenue to administer any such compact; adding new sections to chapter 43.06 RCW; and creating a new section.

Referred to Committee on Ways & Means.

ESHB 2816 by House Committee on Education (originally sponsored by Corry, Steele, Caldier, Van Werven, Eslick, Chambers and Boehnke)
AN ACT Relating to nurturing positive social and emotional school and classroom climates; adding a new section to chapter 28A.345 RCW; and creating a new section.

Referred to Committee on Early Learning & K-12 Education.

EHB 2819 by Representatives Mosbrucker, Blake, Chandler, Hoff, Fitzgibbon, Dent, Shewmake and Boehnke
AN ACT Relating to designating pumped storage projects located in a county bordering the Columbia river utilizing statutorily authorized water rights to be projects of statewide significance; amending RCW 43.157.010; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 2826 by Representatives Peterson and Pollet

AN ACT Relating to clarifying the authority of the liquor and cannabis board to regulate marijuana vapor products; amending RCW 69.50.342; reenacting and amending RCW 69.50.101; adding a new section to chapter 69.50 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Labor & Commerce.

HB 2853 by Representatives Harris and Santos
AN ACT Relating to promoting the effective and efficient administration of the Washington state charter school commission; amending RCW 28A.710.050, 28A.710.070, 28A.710.250, and 28A.710.160; and repealing RCW 28A.710.900.

Referred to Committee on Early Learning & K-12 Education.

HB 2858 by Representatives Orcutt, Dolan and Doglio
AN ACT Relating to requirements for the filing of assessment rolls; and amending RCW 84.40.320.

Referred to Committee on Local Government.

HB 2860 by Representatives Orcutt and Fey
AN ACT Relating to the Washington plane coordinate system; amending RCW 58.20.140, 58.20.160, 58.20.180, 58.20.200, 58.20.210, and 58.20.220; adding new sections to chapter 58.20 RCW; and repealing RCW 58.20.110, 58.20.120, 58.20.130, 58.20.150, 58.20.170, and 58.20.190.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 2889 by House Committee on Local Government (originally sponsored by Griffey)
AN ACT Relating to utility tax disclosures; and adding a new section to chapter 35.92 RCW.

Referred to Committee on Local Government.

EHB 2896 by Representatives Ryu, Santos and Morgan
AN ACT Relating to the use of surplus property for public benefit; and amending RCW 43.63A.510 and 39.33.015.

Referred to Committee on Housing Stability & Affordability.

SHB 2906 by House Committee on Rural Development, Agriculture, & Natural Resources (originally sponsored by Kretz, Chapman, Lekanoff, Walsh, Schmick, Blake, Dent, Chandler, Orcutt, Springer, Pettigrew and Shewmake)
AN ACT Relating to the use of radio collars on gray wolves by the department of fish and wildlife; and adding a new section to chapter 77.12 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Short moved adoption of the following resolution:

SENATE RESOLUTION
8682

By Senators Ericksen, Wagoner, Muzzall, Wilson, L., Holy, Brown, Warnick, Schoesler, Zeiger, Becker, King, Short, Rivers, Carlyle, O'Ban, Walsh, Padden, Honeyford, Sheldon, Randall, Wilson, C., Van De Wege, Saldaña, Salomon, Das, Hobbs, and Lovelett

WHEREAS, The Washington State commercial fishing fleet will set off for the waters of the Pacific on May 3, 2020; and

WHEREAS, The Blessing of the Fleet is a longstanding tradition and will be observed at Blaine Harbor to honor and remember our heroes on the first Sunday in May; and

WHEREAS, The commercial and tribal fishing industries have been the fundamental bedrock of the state for centuries and are a job security to many Washington families; and

WHEREAS, The fishing industry is one of the largest creators of jobs and the Washington state economy relies heavily on its bountiful harvest; and

WHEREAS, The courageous fishers, who tirelessly risk their lives to provide us these necessities, deserve our utmost honor and respect; and

WHEREAS, The dangers of the turbulent and unpredictable seas all too often rob the lives of the brave men and women who voluntarily jeopardize themselves all for our benefit; and

WHEREAS, The grief of losing our beloved friends and neighbors on the high seas impact not only the families of those we lose, but also our entire state;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate extend its deepest condolences to the families and friends of all our fishers who have lost their lives at sea, wish the entire commercial fishing fleet a safe and prosperous season, and convey its hope that all of our fishers will return home safely to their families, friends, and communities.

Senators Short and Carlyle spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8682.

The motion by Senator Short carried and the resolution was adopted by voice vote.

MOTION

At 12:06 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Friday, February 21, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FORTIETH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, February 21, 2020

The Senate was called to order at 10:02 a.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 20, 2020

SHB 1010 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning the disposition of forfeited firearms by the Washington state patrol. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

February 20, 2020

EHB 1687 Prime Sponsor, Representative Stanford: Limiting defenses based on victim identity. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Holy; Kuderer; Salomon and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden, Ranking Member.

Referred to Committee on Rules for second reading.

February 20, 2020

HB 1750 Prime Sponsor, Representative Mosbrucker: Filling vacancies in county sheriff offices. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

February 20, 2020

EHB 2228 Prime Sponsor, Representative Springer: Permitting early deployment of state fire service resources. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on State Government, Tribal Relations & Elections.

February 20, 2020

HB 2315 Prime Sponsor, Representative Orwall: Installing, repairing, replacing, and updating mitigation equipment installed within an impacted area. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

February 20, 2020

SHB 2476 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning debt buyers. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 20, 2020

HB 2508 Prime Sponsor, Representative Wylie: Simplifying the process for donating low-value surplus property owned by a city-owned utility. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

February 20, 2020

HB 2602 Prime Sponsor, Representative Morgan: Concerning hair discrimination. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

February 20, 2020

SHB 2632 Prime Sponsor, Committee on Public Safety:
Concerning false reporting of a crime or emergency. Reported
by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended.
Signed by Senators Pedersen, Chair; Dhingra, Vice Chair;
Padden, Ranking Member; Holy; Kuderer; Salomon and
Wilson, L.

Referred to Committee on Rules for second reading.

February 20, 2020

HB 2640 Prime Sponsor, Representative Fey:
Clarifying that facilities that are operated by a private entity in
which persons are detained in custody under process of law
pending the outcome of legal proceedings are not essential public
facilities under the growth management act. Reported by
Committee on Local Government

MAJORITY recommendation: Do pass as amended.
Signed by Senators Takko, Chair; Salomon, Vice Chair and
Lovelett.

MINORITY recommendation: Do not pass. Signed by
Senators Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, all measures listed on the Standing
Committee report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the fourth
order of business.

MESSAGE FROM THE HOUSE

February 19, 2020

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1390,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1860,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 2050,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2085,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2116,
ENGROSSED HOUSE BILL NO. 2166,
ENGROSSED HOUSE BILL NO. 2216,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2220,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2342,
ENGROSSED HOUSE BILL NO. 2440,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2575,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2588,
ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 2662,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2676,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2723,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2775,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2879,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2919,
and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth
order of business.

INTRODUCTION AND FIRST READING

HB 1061 by Representatives Blake and Walsh

AN ACT Relating to designating the Pacific razor clam as
the state clam; adding a new section to chapter 1.20 RCW;
and creating a new section.

Referred to Committee on State Government, Tribal
Relations & Elections.

HB 1590 by Representatives Doglio, Dolan, Macri, Cody,
Gregerson, Wylie, Appleton, Robinson, Ormsby,
Frame and Davis

AN ACT Relating to allowing the local sales and use tax for
affordable housing to be imposed by a councilmanic
authority; and amending RCW 82.14.530.

Referred to Committee on Local Government.

2SHB 1733 by House Committee on Appropriations
(originally sponsored by Gregerson, Dye, Dent, Blake
and Tarleton)

AN ACT Relating to retaining productive farmland; adding
a new section to chapter 89.08 RCW; adding a new section to
chapter 43.17 RCW; and creating a new section.

Referred to Committee on Agriculture, Water, Natural
Resources & Parks.

HB 2013 by Representatives Van Werven, Ryu, Kilduff and
Eslick

AN ACT Relating to providing for allied forces veteran
remembrance emblems; and amending RCW 46.18.295.

Referred to Committee on Transportation.

SHB 2155 by House Committee on State Government &
Tribal Relations (originally sponsored by Morgan,
Reeves, Pettigrew, Entenman, Kirby, Cody, Eslick,
Appleton, Jenkin, Ormsby, Irwin, Shewmake, Slatter,
Peterson, Fitzgibbon, Tharinger, Robinson, Jinkins,
Santos, Wylie, Blake, Callan, Thai, Ryu, Frame,
Gregerson, Doglio, Hudgins, Paul, Lovick, Stonier and
Leavitt)

AN ACT Relating to the state dinosaur; adding a new section
to chapter 1.20 RCW; and creating a new section.

Referred to Committee on State Government, Tribal
Relations & Elections.

SHB 2187 by House Committee on Transportation
(originally sponsored by Kilduff, Mosbrucker, Morgan,
Leavitt, Orwall, Callan, Dufault, Graham, Kraft,
Appleton, Paul, Lovick, Chapman, Ryu, Van Werven,
Barkis, Slatter, Bergquist, Griffey, Sells, Doglio and
Riccelli)

FORTIETH DAY, FEBRUARY 21, 2020

2020 REGULAR SESSION

AN ACT Relating to creating Washington state women veterans special license plates; reenacting and amending RCW 46.17.220, 46.18.200, and 46.68.425; adding a new section to chapter 43.60A RCW; adding a new section to chapter 46.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

SHB 2205 by House Committee on Civil Rights & Judiciary (originally sponsored by Goodman, Dufault and Appleton)

AN ACT Relating to making technical corrections and removing obsolete language from the Revised Code of Washington pursuant to RCW 1.08.025; amending RCW 9.41.042, 9A.42.010, 13.40.0357, 13.40.160, 13.40.193, 13.40.265, 28A.400.210, 41.05.175, 43.09.025, 46.18.255, 46.18.265, 46.18.285, 46.18.290, 48.20.389, 48.21.223, 48.44.323, 48.46.274, 64.50.010, 69.50.414, 69.52.030, and 28B.76.540; reenacting and amending RCW 43.79A.040, 43.84.092, 10.77.088, and 70.105D.030; and creating a new section.

Referred to Committee on Law & Justice.

SHB 2246 by House Committee on Environment & Energy (originally sponsored by Fitzgibbon and Lekanoff)

AN ACT Relating to the reorganization of laws related to environmental health without making any substantive, policy changes; amending RCW 15.54.325, 15.54.820, 19.405.020, 35.21.120, 35.21.135, 35.21.154, 35.21.156, 35.21.157, 35.21.409, 35.21.755, 35.22.625, 35.23.351, 35.92.020, 35.94.050, 35A.21.152, 35A.21.153, 35A.21.324, 36.32.120, 36.32.304, 36.34.192, 36.58.040, 36.58.045, 36.58.050, 36.58A.010, 36.70A.130, 36.70A.200, 36.93.090, 36.94.010, 43.21A.020, 43.21A.175, 43.21A.702, 43.21A.711, 43.21B.130, 43.21B.260, 43.21B.300, 43.21C.036, 43.21C.0381, 43.21C.210, 43.21F.090, 43.27A.190, 43.37.050, 43.37.080, 43.37.110, 43.37.140, 43.37.170, 43.37.220, 43.41.270, 43.131.394, 43.146.900, 43.200.070, 43.200.080, 43.200.170, 43.200.180, 43.200.220, 43.200.230, 43.200.233, 43.200.235, 43.200.905, 43.200.907, 64.70.020, 64.70.040, 70.05.070, 70.75A.040, 70.75A.060, 70.76.020, 70.76.030, 70.76.040, 70.76.050, 70.76.090, 70.76.100, 70.93.095, 70.93.200, 70.93.220, 70.93.250, 70.94.015, 70.94.030, 70.94.040, 70.94.041, 70.94.053, 70.94.069, 70.94.100, 70.94.130, 70.94.142, 70.94.143, 70.94.151, 70.94.153, 70.94.154, 70.94.161, 70.94.162, 70.94.163, 70.94.165, 70.94.181, 70.94.211, 70.94.231, 70.94.262, 70.94.302, 70.94.331, 70.94.332, 70.94.335, 70.94.385, 70.94.390, 70.94.400, 70.94.410, 70.94.422, 70.94.430, 70.94.431, 70.94.435, 70.94.450, 70.94.453, 70.94.460, 70.94.463, 70.94.467, 70.94.473, 70.94.475, 70.94.477, 70.94.480, 70.94.483, 70.94.524, 70.94.527, 70.94.528, 70.94.531, 70.94.534, 70.94.541, 70.94.544, 70.94.551, 70.94.640, 70.94.6512, 70.94.6514, 70.94.6516, 70.94.6518, 70.94.6520, 70.94.6522, 70.94.6524, 70.94.6528, 70.94.6530, 70.94.6532, 70.94.6534, 70.94.6538, 70.94.6540, 70.94.6542, 70.94.6546, 70.94.6548, 70.94.6552, 70.94.6554, 70.94.6556, 70.94.715, 70.94.725, 70.94.730, 70.94.785, 70.94.805, 70.94.850, 70.94.892, 70.94.960, 70.94.990, 70.95.030, 70.95.065, 70.95.092, 70.95.095, 70.95.100, 70.95.110, 70.95.130, 70.95.150,

70.95.160, 70.95.167, 70.95.170, 70.95.185, 70.95.190, 70.95.205, 70.95.207, 70.95.218, 70.95.240, 70.95.250, 70.95.270, 70.95.280, 70.95.285, 70.95.290, 70.95.295, 70.95.315, 70.95.330, 70.95.400, 70.95.420, 70.95.430, 70.95.510, 70.95.530, 70.95.532, 70.95.535, 70.95.550, 70.95.555, 70.95.560, 70.95.610, 70.95.630, 70.95.650, 70.95.660, 70.95.670, 70.95.715, 70.95.807, 70.95.815, 70.95A.070, 70.95A.100, 70.95B.060, 70.95B.090, 70.95B.095, 70.95B.120, 70.95B.151, 70.95C.010, 70.95C.020, 70.95C.030, 70.95C.040, 70.95C.070, 70.95C.210, 70.95C.220, 70.95C.230, 70.95D.010, 70.95E.010, 70.95E.020, 70.95E.030, 70.95E.040, 70.95E.050, 70.95E.080, 70.95E.090, 70.95F.020, 70.95F.030, 70.95G.030, 70.95G.040, 70.95G.060, 70.95I.010, 70.95I.020, 70.95I.030, 70.95I.040, 70.95I.060, 70.95I.070, 70.95J.010, 70.95J.090, 70.95K.010, 70.95K.011, 70.95L.010, 70.95L.040, 70.95M.080, 70.95M.110, 70.95N.040, 70.95N.060, 70.95N.070, 70.95N.080, 70.95N.130, 70.95N.170, 70.95N.180, 70.95N.190, 70.95N.200, 70.95N.230, 70.95N.260, 70.95N.280, 70.95N.300, 70.95N.310, 70.98.020, 70.98.085, 70.98.095, 70.98.098, 70.98.122, 70.98.220, 70.98.910, 70.99.050, 70.102.020, 70.103.030, 70.103.040, 70.103.050, 70.103.060, 70.103.070, 70.105.005, 70.105.010, 70.105.020, 70.105.035, 70.105.050, 70.105.090, 70.105.105, 70.105.110, 70.105.111, 70.105.112, 70.105.116, 70.105.135, 70.105.140, 70.105.145, 70.105.160, 70.105.165, 70.105.170, 70.105.180, 70.105.200, 70.105.210, 70.105.220, 70.105.221, 70.105.225, 70.105.235, 70.105.240, 70.105.250, 70.105.270, 70.105.280, 70.105.310, 70.105D.040, 70.105D.050, 70.105D.055, 70.105D.060, 70.105D.080, 70.105D.090, 70.105D.110, 70.105D.130, 70.105D.140, 70.105D.160, 70.105D.180, 70.105D.190, 70.105D.200, 70.105D.210, 70.106.030, 70.106.070, 70.106.100, 70.106.110, 70.107.070, 70.116.050, 70.116.060, 70.116.070, 70.118.060, 70.118.070, 70.118.080, 70.118.130, 70.118A.020, 70.118A.040, 70.118A.050, 70.118A.070, 70.118A.080, 70.118A.090, 70.118B.005, 70.118B.020, 70.118B.030, 70.119.030, 70.119.050, 70.119.060, 70.119.070, 70.119.090, 70.119.100, 70.119.120, 70.119.130, 70.119.150, 70.119.170, 70.119A.030, 70.119A.050, 70.119A.060, 70.119A.110, 70.119A.120, 70.119A.190, 70.120.010, 70.120.070, 70.120.080, 70.120.120, 70.120.130, 70.120.190, 70.120A.010, 70.120A.020, 70.121.020, 70.121.050, 70.121.060, 70.121.070, 70.121.080, 70.121.110, 70.138.010, 70.138.020, 70.138.030, 70.142.050, 70.146.030, 70.146.060, 70.146.070, 70.146.100, 70.146.110, 70.148.020, 70.148.025, 70.148.070, 70.149.030, 70.149.040, 70.149.070, 70.149.120, 70.150.030, 70.150.070, 70.164.020, 70.164.030, 70.220.020, 70.220.030, 70.220.050, 70.235.005, 70.235.020, 70.235.030, 70.235.040, 70.235.050, 70.235.060, 70.235.070, 70.235.080, 70.240.025, 70.240.035, 70.240.040, 70.240.050, 70.260.010, 70.270.030, 70.270.040, 70.270.050, 70.275.030, 70.275.040, 70.275.050, 70.275.160, 70.280.040, 70.280.050, 70.285.020, 70.285.040, 70.285.050, 70.285.090, 70.300.040, 70.310.030, 70.310.040, 70.310.050, 70.315.010, 70.315.020, 70.315.050, 70.325.020, 70.325.040, 70.325.050, 70.340.020, 70.340.030, 70.340.040, 70.340.050, 70.340.060, 70.340.080, 70.340.090, 70.340.100, 70.340.120, 70.340.130, 70.340.900, 70.360.060,

70.360.070, 70.360.090, 70.360.100, 70.360.110, 70.94.6546, 70.94.6548, 70.94.6550, 70.94.6552,
 70.365.020, 70.365.030, 70.365.040, 70.365.050, 70.94.6554, 70.94.6556, 70.94.710, 70.94.715, 70.94.720,
 70.365.070, 70.365.080, 70.375.020, 70.375.040, 70.94.725, 70.94.730, 70.94.785, 70.94.800, 70.94.805,
 70.375.050, 70.375.060, 70.375.080, 70.375.090, 70.94.820, 70.94.850, 70.94.860, 70.94.875, 70.94.880,
 70.380.020, 77.55.061, 81.77.010, 81.77.030, 81.77.040, 70.94.892, 70.94.901, 70.94.902, 70.94.904, 70.94.911,
 82.04.660, 82.04.755, 82.04.765, 82.08.0287, 82.08.810, 70.94.960, 70.94.970, 70.94.980, 70.94.990, 70.94.991,
 82.08.811, 82.08.036, 82.08.998, 82.12.0282, 82.12.038, 70.94.992, 70.95.010, 70.95.020, 70.95.030, 70.95.055,
 82.12.810, 82.12.811, 82.12.998, 82.19.040, 82.21.030, 70.95.060, 70.95.065, 70.95.075, 70.95.080, 70.95.090,
 82.23A.020, 82.23A.902, 82.34.030, 82.34.100, 82.44.015, 70.95.092, 70.95.094, 70.95.095, 70.95.096, 70.95.100,
 88.46.010, 90.03.383, 90.03.386, 90.03.570, 90.03.590, 70.95.110, 70.95.130, 70.95.140, 70.95.150, 70.95.160,
 90.46.005, 90.46.010, 90.46.120, 90.48.039, 90.48.110, 70.95.163, 70.95.165, 70.95.167, 70.95.170, 70.95.180,
 90.48.162, 90.48.285, 90.48.530, 90.48.531, 90.52.030, 70.95.185, 70.95.190, 70.95.200, 70.95.205, 70.95.207,
 90.58.355, 90.71.270, 90.71.340, 90.71.370, 90.76.040, 70.95.210, 70.95.212, 70.95.215, 70.95.217, 70.95.218,
 90.76.050, 90.76.070, 90.76.090, 90.76.100, 90.76.110, and 70.95.220, 70.95.230, 70.95.235, 70.95.240, 70.95.250,
 90.76.902; reenacting and amending RCW 15.54.270, 70.95.255, 70.95.260, 70.95.263, 70.95.265, 70.95.267,
 43.21B.110, 43.21B.110, 43.200.015, 70.93.180, 70.94.152, 70.95.268, 70.95.270, 70.95.280, 70.95.285, 70.95.290,
 70.95.090, 70.95N.020, 70.95N.140, 70.105D.020, 70.95.295, 70.95.300, 70.95.305, 70.95.306, 70.95.310,
 70.105D.030, 70.119A.020, 70.240.010, 70.275.020, 70.95.315, 70.95.320, 70.95.330, 70.95.400, 70.95.410,
 70.365.010, 88.40.011, and 90.56.010; adding a new title to 70.95.420, 70.95.430, 70.95.440, 70.95.500, 70.95.510,
 the Revised Code of Washington to be codified as Title 70A 70.95.515, 70.95.521, 70.95.530, 70.95.532, 70.95.535,
 RCW; creating new sections; recodifying RCW 70.95.540, 70.95.550, 70.95.555, 70.95.560, 70.95.565,
 43.21M.010, 43.21M.020, 43.21M.030, 43.21M.040, 70.95.570, 70.95.600, 70.95.610, 70.95.620, 70.95.630,
 43.21M.900, 43.37.010, 43.37.030, 43.37.040, 43.37.050, 70.95.640, 70.95.650, 70.95.660, 70.95.670, 70.95.700,
 43.37.060, 43.37.080, 43.37.090, 43.37.100, 43.37.110, 70.95.710, 70.95.715, 70.95.720, 70.95.725, 70.95.805,
 43.37.120, 43.37.130, 43.37.140, 43.37.150, 43.37.160, 70.95.807, 70.95.810, 70.95.815, 70.95.900, 70.95.903,
 43.37.170, 43.37.180, 43.37.190, 43.37.200, 43.37.210, 70.95.904, 70.95A.010, 70.95A.020, 70.95A.030,
 43.37.215, 43.37.220, 43.37.910, 43.145.010, 43.145.020, 70.95A.035, 70.95A.040, 70.95A.045, 70.95A.050,
 43.145.030, 43.146.010, 43.146.900, 43.200.010, 70.95A.060, 70.95A.070, 70.95A.080, 70.95A.090,
 43.200.015, 43.200.020, 43.200.030, 43.200.070, 70.95A.100, 70.95A.910, 70.95A.912, 70.95A.930,
 43.200.080, 43.200.170, 43.200.180, 43.200.190, 70.95B.010, 70.95B.020, 70.95B.030, 70.95B.040,
 43.200.200, 43.200.220, 43.200.230, 43.200.233, 70.95B.050, 70.95B.060, 70.95B.071, 70.95B.080,
 43.200.235, 43.200.900, 43.200.901, 43.200.905, 70.95B.090, 70.95B.095, 70.95B.100, 70.95B.110,
 43.200.907, 43.205.010, 43.205.020, 70.75A.005, 70.95B.115, 70.95B.120, 70.95B.130, 70.95B.140,
 70.75A.010, 70.75A.020, 70.75A.030, 70.75A.040, 70.95B.151, 70.95B.900, 70.95C.010, 70.95C.020,
 70.75A.050, 70.75A.060, 70.76.005, 70.76.010, 70.76.020, 70.95C.030, 70.95C.040, 70.95C.050, 70.95C.060,
 70.76.030, 70.76.040, 70.76.050, 70.76.060, 70.76.070, 70.95C.070, 70.95C.080, 70.95C.110, 70.95C.120,
 70.76.080, 70.76.090, 70.76.100, 70.76.110, 70.93.010, 70.95C.200, 70.95C.210, 70.95C.220, 70.95C.230,
 70.93.020, 70.93.030, 70.93.040, 70.93.050, 70.93.060, 70.95C.240, 70.95C.250, 70.95D.010, 70.95D.020,
 70.93.070, 70.93.080, 70.93.090, 70.93.093, 70.93.095, 70.95D.030, 70.95D.040, 70.95D.051, 70.95D.060,
 70.93.097, 70.93.110, 70.93.180, 70.93.200, 70.93.210, 70.95D.070, 70.95D.080, 70.95D.090, 70.95D.100,
 70.93.220, 70.93.230, 70.93.250, 70.93.910, 70.94.011, 70.95D.110, 70.95E.010, 70.95E.020, 70.95E.030,
 70.94.015, 70.94.017, 70.94.030, 70.94.033, 70.94.035, 70.95E.040, 70.95E.050, 70.95E.080, 70.95E.090,
 70.94.037, 70.94.040, 70.94.041, 70.94.053, 70.94.055, 70.95E.100, 70.95F.010, 70.95F.020, 70.95F.030,
 70.94.057, 70.94.068, 70.94.069, 70.94.070, 70.94.081, 70.95G.005, 70.95G.010, 70.95G.020, 70.95G.030,
 70.94.085, 70.94.091, 70.94.092, 70.94.093, 70.94.094, 70.95G.040, 70.95G.050, 70.95G.060, 70.95G.070,
 70.94.095, 70.94.096, 70.94.097, 70.94.100, 70.94.110, 70.95I.005, 70.95I.010, 70.95I.020, 70.95I.030, 70.95I.040,
 70.94.120, 70.94.130, 70.94.141, 70.94.142, 70.94.143, 70.95I.050, 70.95I.060, 70.95I.070, 70.95I.080, 70.95I.901,
 70.94.151, 70.94.152, 70.94.153, 70.94.154, 70.94.155, 70.95J.005, 70.95J.007, 70.95J.010, 70.95J.020, 70.95J.025,
 70.94.157, 70.94.161, 70.94.162, 70.94.163, 70.94.165, 70.95J.030, 70.95J.040, 70.95J.050, 70.95J.060, 70.95J.070,
 70.94.170, 70.94.181, 70.94.200, 70.94.205, 70.94.211, 70.95J.080, 70.95J.090, 70.95K.005, 70.95K.010,
 70.94.221, 70.94.230, 70.94.231, 70.94.240, 70.94.260, 70.95K.011, 70.95K.020, 70.95K.030, 70.95K.040,
 70.94.262, 70.94.302, 70.94.331, 70.94.332, 70.94.335, 70.95K.900, 70.95K.920, 70.95L.005, 70.95L.010,
 70.94.350, 70.94.370, 70.94.380, 70.94.385, 70.94.390, 70.95L.020, 70.95L.030, 70.95L.040, 70.95M.010,
 70.94.395, 70.94.400, 70.94.405, 70.94.410, 70.94.420, 70.95M.020, 70.95M.030, 70.95M.040, 70.95M.050,
 70.94.422, 70.94.425, 70.94.430, 70.94.431, 70.94.435, 70.95M.060, 70.95M.070, 70.95M.080, 70.95M.090,
 70.94.440, 70.94.450, 70.94.453, 70.94.455, 70.94.457, 70.95M.100, 70.95M.110, 70.95M.115, 70.95M.120,
 70.94.460, 70.94.463, 70.94.467, 70.94.470, 70.94.473, 70.95M.130, 70.95M.140, 70.95N.010, 70.95N.020,
 70.94.475, 70.94.477, 70.94.480, 70.94.483, 70.94.488, 70.95N.030, 70.95N.040, 70.95N.050, 70.95N.060,
 70.94.510, 70.94.521, 70.94.524, 70.94.527, 70.94.528, 70.95N.070, 70.95N.080, 70.95N.090, 70.95N.100,
 70.94.531, 70.94.534, 70.94.537, 70.94.541, 70.94.544, 70.95N.110, 70.95N.120, 70.95N.130, 70.95N.140,
 70.94.547, 70.94.551, 70.94.555, 70.94.600, 70.94.610, 70.95N.150, 70.95N.160, 70.95N.170, 70.95N.180,
 70.94.620, 70.94.640, 70.94.645, 70.94.6511, 70.94.6512, 70.95N.190, 70.95N.200, 70.95N.210, 70.95N.220,
 70.94.6514, 70.94.6516, 70.94.6518, 70.94.6520, 70.95N.230, 70.95N.240, 70.95N.250, 70.95N.260,
 70.94.6522, 70.94.6524, 70.94.6526, 70.94.6528, 70.95N.280, 70.95N.290, 70.95N.300, 70.95N.310,
 70.94.6530, 70.94.6532, 70.94.6534, 70.94.6536, 70.95N.320, 70.95N.330, 70.95N.340, 70.95N.350,
 70.94.6538, 70.94.6540, 70.94.6542, 70.94.6544, 70.95N.900, 70.95N.902, 70.98.010, 70.98.020, 70.98.030,

FORTIETH DAY, FEBRUARY 21, 2020

2020 REGULAR SESSION

70.98.050, 70.98.080, 70.98.085, 70.98.090, 70.98.095, 70.132.050, 70.132.900, 70.138.010, 70.138.020,
 70.98.098, 70.98.100, 70.98.110, 70.98.120, 70.98.122, 70.138.030, 70.138.040, 70.138.050, 70.138.060,
 70.98.125, 70.98.130, 70.98.140, 70.98.150, 70.98.160, 70.138.070, 70.138.900, 70.138.901, 70.140.010,
 70.98.170, 70.98.180, 70.98.190, 70.98.200, 70.98.220, 70.140.020, 70.140.030, 70.140.040, 70.140.050,
 70.98.910, 70.98.920, 70.99.010, 70.99.020, 70.99.030, 70.140.060, 70.140.070, 70.140.080, 70.142.010,
 70.99.040, 70.99.050, 70.99.060, 70.99.900, 70.99.910, 70.142.020, 70.142.030, 70.142.040, 70.142.050,
 70.102.010, 70.102.020, 70.103.010, 70.103.020, 70.146.010, 70.146.020, 70.146.030, 70.146.040,
 70.103.030, 70.103.040, 70.103.050, 70.103.060, 70.146.050, 70.146.060, 70.146.070, 70.146.075,
 70.103.070, 70.103.080, 70.103.090, 70.105.005, 70.146.090, 70.146.100, 70.146.110, 70.146.120,
 70.105.007, 70.105.010, 70.105.020, 70.105.025, 70.148.005, 70.148.010, 70.148.020, 70.148.025,
 70.105.030, 70.105.035, 70.105.040, 70.105.050, 70.148.030, 70.148.035, 70.148.040, 70.148.050,
 70.105.070, 70.105.080, 70.105.085, 70.105.090, 70.148.060, 70.148.070, 70.148.080, 70.148.090,
 70.105.095, 70.105.097, 70.105.100, 70.105.105, 70.148.110, 70.148.900, 70.149.010, 70.149.020,
 70.105.109, 70.105.110, 70.105.111, 70.105.112, 70.149.030, 70.149.040, 70.149.050, 70.149.060,
 70.105.116, 70.105.120, 70.105.130, 70.105.135, 70.149.070, 70.149.080, 70.149.090, 70.149.100,
 70.105.140, 70.105.145, 70.105.150, 70.105.160, 70.149.120, 70.149.800, 70.149.801, 70.149.900,
 70.105.165, 70.105.170, 70.105.180, 70.105.200, 70.150.010, 70.150.020, 70.150.030, 70.150.040,
 70.105.210, 70.105.215, 70.105.217, 70.105.220, 70.150.050, 70.150.060, 70.150.070, 70.150.080,
 70.105.221, 70.105.225, 70.105.230, 70.105.235, 70.150.900, 70.164.010, 70.164.020, 70.164.030,
 70.105.240, 70.105.245, 70.105.250, 70.105.255, 70.164.040, 70.164.050, 70.164.060, 70.164.070,
 70.105.260, 70.105.270, 70.105.280, 70.105.300, 70.220.010, 70.220.020, 70.220.030, 70.220.040,
 70.105.310, 70.105.900, 70.105D.010, 70.105D.020, 70.220.050, 70.235.005, 70.235.010, 70.235.020,
 70.105D.030, 70.105D.040, 70.105D.050, 70.105D.055, 70.235.030, 70.235.040, 70.235.050, 70.235.060,
 70.105D.060, 70.105D.080, 70.105D.090, 70.105D.100, 70.235.070, 70.235.080, 70.235.900, 70.240.010,
 70.105D.110, 70.105D.120, 70.105D.130, 70.105D.140, 70.240.020, 70.240.025, 70.240.030, 70.240.035,
 70.105D.150, 70.105D.160, 70.105D.180, 70.105D.190, 70.240.040, 70.240.050, 70.240.060, 70.260.010,
 70.105D.200, 70.105D.210, 70.105D.900, 70.105D.905, 70.260.020, 70.260.030, 70.270.010, 70.270.020,
 70.105D.910, 70.105D.915, 70.105D.920, 70.106.010, 70.270.030, 70.270.040, 70.270.050, 70.270.060,
 70.106.020, 70.106.030, 70.106.040, 70.106.050, 70.275.010, 70.275.020, 70.275.030, 70.275.040,
 70.106.060, 70.106.070, 70.106.080, 70.106.090, 70.275.050, 70.275.060, 70.275.070, 70.275.080,
 70.106.100, 70.106.110, 70.106.120, 70.106.140, 70.275.090, 70.275.100, 70.275.110, 70.275.130,
 70.106.150, 70.106.905, 70.106.910, 70.107.010, 70.275.140, 70.275.150, 70.275.160, 70.275.170,
 70.107.020, 70.107.030, 70.107.040, 70.107.050, 70.275.900, 70.275.901, 70.280.010, 70.280.020,
 70.107.060, 70.107.070, 70.107.080, 70.107.900, 70.280.030, 70.280.040, 70.280.050, 70.280.060,
 70.107.910, 70.116.010, 70.116.020, 70.116.030, 70.285.010, 70.285.020, 70.285.030, 70.285.040,
 70.116.040, 70.116.050, 70.116.060, 70.116.070, 70.285.050, 70.285.060, 70.285.070, 70.285.080,
 70.116.080, 70.116.090, 70.116.100, 70.116.110, 70.285.090, 70.285.100, 70.295.010, 70.295.020,
 70.116.120, 70.116.134, 70.116.140, 70.118.010, 70.300.005, 70.300.010, 70.300.020, 70.300.030,
 70.118.020, 70.118.030, 70.118.040, 70.118.050, 70.300.040, 70.300.050, 70.300.060, 70.310.010,
 70.118.060, 70.118.070, 70.118.080, 70.118.090, 70.310.020, 70.310.030, 70.310.040, 70.310.050,
 70.118.110, 70.118.120, 70.118.130, 70.118A.010, 70.315.010, 70.315.020, 70.315.030, 70.315.040,
 70.118A.020, 70.118A.030, 70.118A.040, 70.118A.050, 70.315.050, 70.315.060, 70.315.900, 70.315.901,
 70.118A.060, 70.118A.070, 70.118A.080, 70.118A.090, 70.315.902, 70.325.010, 70.325.020, 70.325.030,
 70.118A.100, 70.118B.005, 70.118B.010, 70.118B.020, 70.325.040, 70.325.050, 70.340.010, 70.340.020,
 70.118B.030, 70.118B.040, 70.118B.050, 70.118B.060, 70.340.030, 70.340.040, 70.340.050, 70.340.060,
 70.118B.070, 70.119.010, 70.119.020, 70.119.030, 70.340.070, 70.340.080, 70.340.090, 70.340.100,
 70.119.040, 70.119.050, 70.119.060, 70.119.070, 70.340.110, 70.340.120, 70.340.130, 70.340.900,
 70.119.081, 70.119.090, 70.119.100, 70.119.110, 70.355.010, 70.360.010, 70.360.020, 70.360.030,
 70.119.120, 70.119.130, 70.119.140, 70.119.150, 70.360.040, 70.360.050, 70.360.060, 70.360.070,
 70.119.160, 70.119.170, 70.119.180, 70.119.900, 70.360.080, 70.360.090, 70.360.100, 70.360.110,
 70.119A.020, 70.119A.025, 70.119A.030, 70.119A.040, 70.360.900, 70.365.010, 70.365.020, 70.365.030,
 70.119A.050, 70.119A.060, 70.119A.070, 70.119A.080, 70.365.040, 70.365.050, 70.365.060, 70.365.070,
 70.119A.100, 70.119A.110, 70.119A.115, 70.119A.120, 70.365.080, 70.365.900, 70.370.010, 70.370.020,
 70.119A.130, 70.119A.140, 70.119A.150, 70.119A.170, 70.370.030, 70.370.040, 70.375.010, 70.375.020,
 70.119A.180, 70.119A.190, 70.119A.200, 70.119A.210, 70.375.030, 70.375.040, 70.375.050, 70.375.060,
 70.119A.900, 70.120.010, 70.120.020, 70.120.070, 70.375.070, 70.375.080, 70.375.090, 70.375.100,
 70.120.080, 70.120.100, 70.120.120, 70.120.130, 70.375.110, 70.375.120, 70.375.130, 70.380.010,
 70.120.150, 70.120.160, 70.120.170, 70.120.190, 70.380.020, 70.380.030, 70.380.900, 90.76.005, 90.76.010,
 70.120.210, 70.120.230, 70.120.902, 70.120A.010, 90.76.020, 90.76.040, 90.76.050, 90.76.060, 90.76.070,
 70.120A.020, 70.120A.030, 70.120A.050, 70.121.010, 90.76.080, 90.76.090, 90.76.100, 90.76.110, 90.76.900,
 70.121.020, 70.121.030, 70.121.040, 70.121.050, 90.76.901, and 90.76.902; repealing RCW 70.105E.010,
 70.121.060, 70.121.070, 70.121.080, 70.121.090, 70.105E.020, 70.105E.030, 70.105E.040, 70.105E.050,
 70.121.100, 70.121.110, 70.121.120, 70.121.130, 70.105E.060, 70.105E.080, 70.105E.100, 70.105E.900, and
 70.121.140, 70.121.150, 70.121.900, 70.121.905, 70.105E.901; providing effective dates; and providing an
 70.132.010, 70.132.020, 70.132.030, 70.132.040, expiration date.

Referred to Committee on Environment, Energy & Technology.

HB 2251 by Representatives Thai and Cody

AN ACT Relating to the expiration date for notification of dispensing an interchangeable biological product; amending RCW 69.41.193; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

SHB 2295 by House Committee on Civil Rights & Judiciary (originally sponsored by Goodman, Griffey, Irwin and Wylie)

AN ACT Relating to enforcement of small claims court judgments; and amending RCW 12.40.105.

Referred to Committee on Law & Justice.

SHB 2356 by House Committee on Consumer Protection & Business (originally sponsored by Vick, Harris, Hoff, Gildon, Barkis, Young, Wylie and Volz)

AN ACT Relating to reducing barriers to professional licensure for individuals with previous criminal convictions; adding a new chapter to Title 18 RCW; and providing an effective date.

Referred to Committee on Labor & Commerce.

HB 2477 by Representatives Vick, Hoff, Volz and Kraft

AN ACT Relating to review standards for professional licensing regulation; and adding a new chapter to Title 18 RCW.

Referred to Committee on Labor & Commerce.

HB 2524 by Representatives Chandler, Blake and Dent

AN ACT Relating to expanding the scope of agricultural products subject to requirements in chapter 15.83 RCW related to negotiation concerning production or marketing; and amending RCW 15.83.010 and 15.83.030.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

HB 2669 by Representatives Sullivan, MacEwen, Lovick and Tharinger

AN ACT Relating to creating Seattle NHL hockey special license plates; reenacting and amending RCW 46.17.220, 46.18.200, and 46.68.420; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 2682 by Representatives Senn, Kilduff, Leavitt and Pollet

AN ACT Relating to out-of-home services; amending RCW 74.13.350; reenacting and amending RCW 13.04.030; adding a new chapter to Title 71A RCW; recodifying RCW 74.13.350; and repealing RCW 13.34.270.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 2747 by Representatives Ramel, Lekanoff, Riccelli and Ormsby

AN ACT Relating to establishing the state microanimal; adding a new section to chapter 1.20 RCW; and creating a new section.

Referred to Committee on State Government, Tribal Relations & Elections.

HB 2749 by Representatives Orwall, Gregerson, Entenman and Sullivan

AN ACT Relating to authorizing an extension of time for certain cities to decline to partner with the department of revenue for the issuance or renewal of general business licenses; and amending RCW 35.90.020.

Referred to Committee on Ways & Means.

HB 2757 by Representatives Corry, Appleton, Rude, Frame, Dent, Riccelli, Davis and Lekanoff

AN ACT Relating to official state designations; amending RCW 1.20.090 and 1.20.042; adding a new section to chapter 1.20 RCW; and creating a new section.

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 2773 by House Committee on Consumer Protection & Business (originally sponsored by Kirby and Vick)

AN ACT Relating to transportation; adding a new chapter to Title 46 RCW; and providing an effective date.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SHB 2794 by House Committee on Human Services & Early Learning (originally sponsored by Frame, Davis, Peterson, Lekanoff, Pollet and Santos)

AN ACT Relating to juvenile record sealing; amending RCW 13.50.260; creating new sections; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 2833 by Representative Hoff

AN ACT Relating to the board of engineers and land surveyors' appointment of its director and agreement with the department of licensing; and amending RCW 18.43.035 and 18.43.200.

Referred to Committee on Labor & Commerce.

SHB 2836 by House Committee on Transportation (originally sponsored by Lovick, Boehnke, Valdez, Gregerson, Ortiz-Self, Riccelli, Shewmake, Kloba, Mead, Doglio, Entenman, Tarleton, Hudgins, Ryu, Pettigrew, Thai, Morgan, Santos, Lekanoff, Slatter, Orwall, Davis, Sells, Goodman, Appleton, J. Johnson and Chopp)

AN ACT Relating to establishing an unpiloted aircraft system state coordinator; amending RCW 47.68.020; adding a new section to chapter 47.68 RCW; and providing an effective date.

Referred to Committee on Transportation.

FORTIETH DAY, FEBRUARY 21, 2020

2020 REGULAR SESSION

HB 2837 by Representatives Boehnke and Hudgins

AN ACT Relating to expanding powers granted to state historical societies; and amending RCW 27.34.070.

Referred to Committee on State Government, Tribal Relations & Elections.

HB 2867 by Representative Blake

AN ACT Relating to the calculation of interest associated with annual tax reporting periods without making any changes to the interest rate; amending RCW 82.32.050 and 82.32.060; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Schoesler moved adoption of the following resolution:

SENATE RESOLUTION
8666

By Senators Schoesler and Liias

WHEREAS, Washington FFA has approximately twelve thousand student members represented by all nine FFA districts around the entire state; and

WHEREAS, Washington FFA members contribute 4.4 billion dollars nationally generated through their Supervised Agricultural Experience programs, which promote hands-on learning as an extension of the classroom; and

WHEREAS, Washington agriculture contributes 10.6 billion dollars in revenue a year from 39,500 farms and ranches according to the Washington Farm Bureau and is twelve percent of Washington's total economy; and

WHEREAS, Washington FFA allows students to develop personally and professionally through a variety of opportunities that appeal to all different learning types utilizing a three-circle model encompassing classroom instruction, Supervised Agricultural Experiences, and FFA; and

WHEREAS, Each FFA chapter plans events throughout the year which will better their members and the community around them through a program of activities which is submitted to Washington FFA at the beginning of each school year; and

WHEREAS, Washington FFA hosts "Emerge" which is an in-state leadership conference reaching approximately two hundred eighty members statewide; and

WHEREAS, Washington FFA is home to Julie Smiley who was the first-ever female national officer in 1976 hailing from the Mount Vernon FFA chapter; and

WHEREAS, The Summer FFA chapter is in the top six for most national winners with fifteen first-place finishers; and

WHEREAS, On average three thousand members and guests attend the Washington FFA state convention each spring; and

WHEREAS, Individual members and teams of members are recognized for their hard work and success in thirty-two different career and leadership development events each year at the convention; and

WHEREAS, Washington FFA began in 1930 and is celebrating its ninetieth year in 2020; and

WHEREAS, The ninetieth Washington FFA Convention and Expo will be held May 14th-16th;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize Washington FFA's ninetieth year of existence as it is a historical marker in history.

Senators Schoesler, Liias, Short, Warnick, Honeyford, Wagoner 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. 8666.

The motion by Senator Schoesler carried and the resolution was adopted by voice vote.

MOTION

Senator Zeiger moved adoption of the following resolution:

SENATE RESOLUTION
8686

By Senators Zeiger, Wellman, Hunt, Nguyen, Randall, Das, Kuderer, Liias, Hawkins, Muzzall, Wagoner, Warnick, Rivers, and Saldaña

WHEREAS, The Washington State Senate recognize February 21, 2020, as Civic Education Day; and

WHEREAS, Civic Education Day fortifies collaboration between educators, legislators, and students statewide; and

WHEREAS, Civic education is provided statewide in schools by instructors through curriculum that includes government, history, law, and democracy; and

WHEREAS, Robust educational programs promote civility and encourage pivotal participation in our legislative processes and democratic institutions; and

WHEREAS, Organizations including TVW, the Secretary of State, the Legislative Youth Advisory Council, the Washington World Fellows, 4-H Know Your Government, the Department of Children, Youth, and Families, We The People, the League of Women Voters, YMCA Youth & Government, the Office of the Superintendent of Public Instruction's History Day, the State Treasurer, iCivics, the Model United Nations, Boys State, Girls State, the Youth Ambassadors, the Association of Washington Student Leaders, the Junior State of America, and AmeriCorps are keen on making civic education a priority for Washington State and its citizens; and

WHEREAS, The Senate exhibit dedication to civic education through the Washington State Legislative Internship Program; and

WHEREAS, The 2020 Legislative Internship Program includes students from seventeen of Washington's public and private institutions, representing colleges and universities across the State of Washington; and

WHEREAS, Participants in the Legislative Internship Program and other highlighted institutions leave their programs as stronger students and civically engaged citizens; and

WHEREAS, The Senate demonstrate responsibility to civic education through the Senate Page Program and Page School; and

WHEREAS, Hundreds of students from across Washington State have the opportunity each year to observe the legislative process and other branches of state government in action as pages; and

WHEREAS, Legislative support of educational opportunities for youth and the general public is essential to civility in the state; and

WHEREAS, The Senate celebrate Civic Education Day and honor the contributions of teachers, principals, community members, parents, state employees, interns, pages, and volunteers who help form an educated citizenry;

NOW, THEREFORE, BE IT RESOLVED, That on February 21, 2020, the Washington State Senate reaffirm the importance of civic education and recognize the dedication of civic educators across the state to serve and inform all Washingtonians; and

BE IT FURTHER RESOLVED, That the Washington State Senate honor, thank, and celebrate the civic educators and civic education organizations of our state.

Senators Zeiger 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. 8686.

The motion by Senator Zeiger carried and the resolution was adopted by voice vote.

MOTION

At 10:20 a.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Monday, February 24, 2020.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FORTY THIRD DAY

NOON SESSION

Senate Chamber, Olympia
Monday, February 24, 2020

The Senate was called to order at 12:05 p.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 21, 2020

SB 6248 Prime Sponsor, Senator Frockt: Concerning the capital budget. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6248 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 20, 2020

EHB 1187 Prime Sponsor, Representative Dent: Revising hydraulic project eligibility standards under RCW 77.55.181 for conservation district-sponsored fish habitat enhancement projects. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

February 21, 2020

SHB 1251 Prime Sponsor, Committee on State Government & Tribal Relations: Concerning security breaches of election systems or election data including by foreign entities. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

February 20, 2020

SHB 1293 Prime Sponsor, Committee on Appropriations: Concerning the distribution of monetary penalties to local courts and state agencies paid for failure to comply with discover pass requirements. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Ways & Means.

February 21, 2020

ESHB 1520 Prime Sponsor, Committee on State Government & Tribal Relations: Concerning calendar election dates on ballot envelopes. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Rules for second reading.

February 21, 2020

E2SHB 1521 Prime Sponsor, Committee on Appropriations: Providing for accountability and transparency in government contracting. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: Do not pass. Signed by Senators Muzzall, Assistant Ranking Member Zeiger, Ranking Member.

Referred to Committee on Ways & Means.

February 20, 2020

ESHB 1622 Prime Sponsor, Committee on Rural Development, Agriculture, & Natural Resources: Concerning drought preparedness and response. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; McCoy and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford and Short.

Referred to Committee on Ways & Means.

February 21, 2020

HB 2230 Prime Sponsor, Representative Gregerson: Subjecting federally recognized Indian tribes to the same conditions as state and local governments for property owned exclusively by the tribe. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa and Takko.

Referred to Committee on Ways & Means.

February 21, 2020

HB 2380 Prime Sponsor, Representative Tharinger: Changing the home care agency vendor rate and repealing electronic timekeeping. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

February 21, 2020

SHB 2456 Prime Sponsor, Committee on Appropriations: Concerning working connections child care eligibility. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy and Padden.

Referred to Committee on Ways & Means.

February 20, 2020

SHB 2525 Prime Sponsor, Committee on Human Services & Early Learning: Establishing the family connections program. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 20, 2020

E2SHB 2528 Prime Sponsor, Committee on Appropriations: Recognizing the contributions of the state's forest products sector as part of the state's global climate response. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Ways & Means.

February 21, 2020

ESHB 2551 Prime Sponsor, Committee on State Government & Tribal Relations: Permitting students to wear traditional tribal regalia and objects of cultural significance at graduation ceremonies and related events. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wagoner.

Referred to Committee on Rules for second reading.

February 20, 2020

ESHB 2571 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning increased deterrence and meaningful enforcement of fish and wildlife violations. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

February 21, 2020

EHB 2584 Prime Sponsor, Representative Caldier: Establishing rates for behavioral health services. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

February 21, 2020

SHB 2589 Prime Sponsor, Committee on Education: Requiring contact information for suicide prevention and crisis intervention organizations on student and staff identification cards. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 21, 2020

SHB 2728 Prime Sponsor, Committee on Appropriations: Implementing a sustainable funding model for the services provided through the children's mental health services consultation program and the telebehavioral health video call center. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland, Chair;

FORTY THIRD DAY, FEBRUARY 24, 2020

2020 REGULAR SESSION

Randall, Vice Chair; O'Ban, Ranking Member; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

RCW; *“Quarterly DCYF Social Services Specialists Report, July - September 2019”*, in accordance with Engrossed Substitute House Bill No. 1109;

Referred to Committee on Ways & Means.

Health Care Authority – *“Home Health Services to Medical Assistance Clients”*, in accordance with Engrossed Substitute House Bill No. 1109; *“Military and Military-Affiliated Licensure Streamlining”*, pursuant to 73.04.150 RCW;

February 21, 2020

SHB 2787 Prime Sponsor, Committee on Human Services & Early Learning: Completing the transfer of the early support for infants and toddlers program from the office of the superintendent of public instruction to the department of children, youth, and families. Reported by Committee on Early Learning & K-12 Education

Transportation, Department of – *“Violations of Environmental Permits and Regulations for State Highway Projects”*, pursuant to 47.85.040 RCW; *“Local Governments Determination on Permits”*, pursuant to 47.01.485 RCW; *“Fund Transfers Report, October - December 2019”*, in accordance with Engrossed Substitute House Bill No. 1160; *“Fund Transfers Report (TPA and CWA Accounts), October - December 2019”*, in accordance with Engrossed Substitute House Bill No. 1160; *“Capital Projects and Nickel/TPA/Connecting Washington Projects Quarterly Reports - 2019-2021 Biennium Quarter 2”*, in accordance with Engrossed Substitute House Bill No. 1160; *“Tort Judgments and Settlements Pertaining to Washington State Ferries and Non-WSF Operations, October - December 2019”*, in accordance with Engrossed Substitute House Bill No. 1160.

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy and Padden.

Referred to Committee on Ways & Means.

MOTION

February 20, 2020

SHB 2873 Prime Sponsor, Committee on Human Services & Early Learning: Concerning families in conflict. Reported by Committee on Human Services, Reentry & Rehabilitation

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Cleveland; O'Ban; Wilson, C. and Zeiger.

SB 6692 by Senator Keiser

Referred to Committee on Rules for second reading.

AN ACT Relating to granting additional and progressive tax authority for counties with populations exceeding two million and cities therein to impose an excise tax on businesses that addresses the affordable housing crisis and reduces homelessness through evidence-based practices that will save lives and improve public safety, while also ensuring certainty and predictability for businesses; adding a new section to chapter 43.31 RCW; adding a new chapter to Title 82 RCW; and declaring an emergency.

February 21, 2020

SHB 2905 Prime Sponsor, Committee on Appropriations: Increasing outreach and engagement with access to baby and child dentistry programs. Reported by Committee on Health & Long Term Care

Referred to Committee on Ways & Means.

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

EHB 1390 by Representatives Leavitt, Volz, Dolan, Fitzgibbon, Caldier, Wylie, Pellicciotti, MacEwen, Griffey, Callan, Kilduff, Appleton, Jinkins, Tharinger, Blake, Ramos, Eslick, Slatter, Valdez, Schmic, Shewmake, Doglio, Goodman, Pollet and Ortiz-Self

AN ACT Relating to providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1; amending RCW 41.40.1987 and 41.32.4992; providing an effective date; and declaring an emergency.

MOTION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Liias, the Senate advanced to the third order of business.

E2SHB 1860 by House Committee on Appropriations (originally sponsored by Pollet, Stanford, Riccelli, Robinson, Wylie, Gregerson, Lovick, Peterson, Ryu, Shewmake, Valdez, Jinkins, Goodman, Tarleton, Fitzgibbon, Leavitt, Doglio and Macri)

AN ACT Relating to taking action to address lead in drinking water in schools; adding a new section to chapter 28A.210 RCW; adding new sections to chapter 43.70 RCW; adding a new section to chapter 28A.195 RCW; creating new sections; and providing an expiration date.

MESSAGE FROM OTHER STATE OFFICERS

The following reports were submitted to and received by the office of the Secretary of the Senate:

Agriculture, Department of - *“Pesticide Management Division 2019 Annual Report”*, pursuant to 15.58.420 RCW;

Children, Youth, and Families, Department of – *“Child Fatality Report, July - September 2019”*, pursuant to 74.13.640

Referred to Committee on Early Learning & K-12 Education.

E2SHB 2050 by House Committee on Transportation (originally sponsored by Chambers, Cody, Corry, Goehner, Springer, Schmick, Jenkin and Fey)
AN ACT Relating to creating Washington wine special license plates; amending RCW 46.68.420; reenacting and amending RCW 46.17.220, 46.18.200, and 46.68.420; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

ESHB 2085 by House Committee on Transportation (originally sponsored by Orcutt and Blake)
AN ACT Relating to creating Mount St. Helens special license plates; reenacting and amending RCW 46.17.220, 46.18.200, and 46.68.420; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Transportation.

ESHB 2116 by House Committee on Education (originally sponsored by Callan, Eslick, Frame, Klippert, Blake, Ramos, Lovick, Davis, Doglio, Leavitt, Senn, Pollet and Santos)
AN ACT Relating to establishing a task force on improving institutional education programs and outcomes; creating new sections; providing an expiration date; and declaring an emergency.

Referred to Committee on Early Learning & K-12 Education.

EHB 2166 by Representatives Orcutt, Lovick, Chapman, Barkis, Blake and Kretz
AN ACT Relating to creating special license plates that support working forests; amending RCW 46.18.200, 46.17.220, and 46.68.420; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Transportation.

EHB 2216 by Representatives Eslick, Dent, Corry and Jenkin
AN ACT Relating to sports pool boards; and amending RCW 9.46.0335.

Referred to Committee on Labor & Commerce.

ESHB 2220 by House Committee on Education (originally sponsored by Dolan, Callan, Ortiz-Self, Ryu, Appleton, Valdez, Frame, Davis, Ormsby, Irwin, Wylie, Doglio, Santos and Peterson)
AN ACT Relating to parental involvement through volunteering in schools after a criminal conviction; amending RCW 28A.320.155 and 28A.400.303; and adding a new section to chapter 28A.320 RCW.

Referred to Committee on Early Learning & K-12 Education.

ESHB 2342 by House Committee on Environment & Energy (originally sponsored by Fitzgibbon, Leavitt, Tharinger, Walen, Doglio, Pollet and Appleton)

AN ACT Relating to aligning the timing of comprehensive plan updates required by the growth management act with the timing of shoreline master program updates required by the shoreline management act; amending RCW 36.70A.130 and 90.58.080; and providing an effective date.

Referred to Committee on Environment, Energy & Technology.

EHB 2440 by Representatives Kilduff, Lovick, Chapman, Orwall, Rude, Leavitt, Santos, Pollet and Wylie
AN ACT Relating to a medical alert designation on driver's licenses; amending RCW 46.20.161; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

ESHB 2575 by House Committee on State Government & Tribal Relations (originally sponsored by Pellicciotti, Ryu, Tarleton, Orwall, Dolan, J. Johnson and Pollet)
AN ACT Relating to reforms to increase transparency and accountability of the Washington redistricting commission; amending RCW 44.05.020, 44.05.030, 44.05.070, 44.05.080, 44.05.100, 44.05.110, and 42.30.040; adding a new section to chapter 44.05 RCW; and creating a new section.

Referred to Committee on State Government, Tribal Relations & Elections.

ESHB 2588 by House Committee on Local Government (originally sponsored by Pollet, Leavitt, Valdez, Senn, Duerr, Ryu, Frame, Boehnke, Hudgins and Kraft)
AN ACT Relating to improving openness, accountability, and transparency of special purpose districts; amending RCW 36.96.010, 36.96.020, 36.96.030, 36.96.040, 36.96.050, 36.96.900, and 42.30.077; adding new sections to chapter 36.96 RCW; creating a new section; and repealing RCW 42.17A.010.

Referred to Committee on Local Government.

E2SHB 2662 by House Committee on Appropriations (originally sponsored by Maycumber, Cody, DeBolt, Tharinger, Chopp, Harris, Macri, Thai, Chambers, Caldier, Duerr, Hudgins, Chapman, Steele, Gildon, Eslick, Robinson, Irwin, Lekanoff, Senn, Doglio, Gregerson, Peterson, Goodman, Leavitt, Frame, Pollet, Riccelli, Volz, Davis and Kloba)
AN ACT Relating to reducing the total cost of insulin; amending RCW 70.14.060, 48.20.391, 48.21.143, 48.44.315, and 48.46.272; adding new sections to chapter 70.14 RCW; adding a new section to chapter 48.43 RCW; adding a new section to chapter 41.05 RCW; creating a new section; and providing expiration dates.

Referred to Committee on Health & Long Term Care.

ESHB 2676 by House Committee on Transportation (originally sponsored by Kloba, Boehnke and Hudgins)
AN ACT Relating to establishing minimum requirements for the testing of autonomous vehicles; adding a new section to chapter 46.30 RCW; adding a new chapter to Title 46 RCW; and providing an effective date.

Referred to Committee on Transportation.

FORTY THIRD DAY, FEBRUARY 24, 2020

2020 REGULAR SESSION

ESHB 2723 by House Committee on Transportation (originally sponsored by Wylie)

AN ACT Relating to off-road vehicle and snowmobile registration enforcement; amending RCW 46.09.420, 46.09.442, 46.93.210, 46.09.495, and 46.10.505; creating a new section; prescribing penalties; and providing an expiration date.

Referred to Committee on Transportation.

ESHB 2775 by House Committee on Health Care & Wellness (originally sponsored by Macri, Van Werven, Shewmake and Doglio)

AN ACT Relating to the practice of colon hydrotherapy; amending RCW 18.360.020, 18.360.030, 18.360.040, 18.360.050, 18.360.060, and 18.360.090; reenacting and amending RCW 18.360.010 and 18.130.040; adding a new section to chapter 18.36A RCW; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

ESHB 2879 by House Committee on Innovation, Technology & Economic Development (originally sponsored by Vick and Eslick)

AN ACT Relating to fostering economic growth in Washington by supporting in-state manufacturing; adding a new section to chapter 44.04 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Financial Institutions, Economic Development & Trade.

ESHB 2919 by House Committee on Finance (originally sponsored by Chopp and Tharinger)

AN ACT Relating to adjusting the amount and use of county fees on the real estate excise tax; and amending RCW 82.45.180.

Referred to Committee on Housing Stability & Affordability.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Liias and without objection, the rules were suspended and the following measures listed on the "Bill Dispositions – 2/24/2020" sheet were referred to the Committee on Rules, X file:

Senate Bill No. 5016; Senate Bill No. 5059; Senate Bill No. 5182; Senate Bill No. 5249; Senate Bill No. 5275; Senate Bill No. 5315; Senate Bill No. 5486; Senate Bill No. 5636; Senate Bill No. 5830; Senate Bill No. 5939; Senate Bill No. 6033; Senate Bill No. 6039; Senate Bill No. 6071; Senate Bill No. 6077; Senate Bill No. 6079; Senate Bill No. 6114; Senate Bill No. 6121; Senate Bill No. 6148; Senate Bill No. 6157; Senate Bill No. 6163; Senate Bill No. 6179; Senate Bill No. 6203; Senate Bill No. 6204; Senate Bill No. 6214; Senate Bill No. 6219; Senate Bill No. 6220; Senate Bill No. 6224; Senate Bill No. 6230; Senate Bill No. 6237; Senate Bill No.

6242; Senate Bill No. 6255; Senate Bill No. 6264; Senate Bill No. 6270; Senate Bill No. 6271; Senate Bill No. 6289; Senate Bill No. 6294; Senate Bill No. 6307; Senate Bill No. 6311; Senate Bill No. 6323; Senate Bill No. 6334; Senate Bill No. 6340; Senate Bill No. 6349; Senate Bill No. 6351; Senate Bill No. 6361; Senate Bill No. 6362; Senate Bill No. 6364; Senate Bill No. 6405; Senate Bill No. 6407; Senate Bill No. 6411; Senate Bill No. 6414; Senate Bill No. 6422; Senate Bill No. 6425; Senate Bill No. 6444; Senate Bill No. 6449; Senate Bill No. 6466; Senate Bill No. 6470; Senate Bill No. 6475; Senate Bill No. 6479; Senate Bill No. 6485; Senate Bill No. 6489; Senate Bill No. 6494; Senate Bill No. 6511; Senate Bill No. 6513; Senate Bill No. 6552; Senate Bill No. 6560; Senate Bill No. 6563; Senate Bill No. 6566; Senate Bill No. 6577; Senate Bill No. 6584; Senate Bill No. 6599; Senate Bill No. 6607; Senate Bill No. 6610; Senate Bill No. 6630; Senate Bill No. 6646; Senate Bill No. 6651; Senate Bill No. 6656; Senate Bill No. 6668; Senate Joint Memorial 8001; Senate Joint Memorial 8002; Senate Joint Memorial 8006; Senate Joint Memorial 8018; Senate Bill No. 5077; Senate Bill No. 5078; Senate Bill No. 5137; Senate Bill No. 5184; Senate Bill No. 5224; Senate Bill No. 5263; Senate Bill No. 5279; Senate Bill No. 5304; Senate Bill No. 5308; Senate Bill No. 5485; Senate Bill No. 5489; Senate Bill No. 5496; Senate Bill No. 5523; Senate Bill No. 5525; Senate Bill No. 5635; Senate Bill No. 5694; Senate Bill No. 5731; Senate Bill No. 5739; Senate Bill No. 5746; Senate Bill No. 5787; Senate Bill No. 5873; Senate Bill No. 5936; Senate Bill No. 5986; Senate Concurrent Resolution 8405; Senate Bill No. 5033; Senate Bill No. 5219; Senate Bill No. 5494; Senate Bill No. 5590; Senate Bill No. 5592; Senate Bill No. 5643; Senate Bill No. 5676; Senate Bill No. 5920; Senate Bill No. 6126; Senate Bill No. 6134; Senate Bill No. 6173; Senate Bill No. 6207; Senate Bill No. 6209; Senate Bill No. 6216; Senate Bill No. 6228; Senate Bill No. 6247; Senate Bill No. 6284; Senate Bill No. 6295; Senate Bill No. 6312; Senate Bill No. 6314; Senate Bill No. 6329; Senate Bill No. 6336; Senate Bill No. 6346; Senate Bill No. 6355; Senate Bill No. 6356; Senate Bill No. 6365; Senate Bill No. 6385; Senate Bill No. 6386; Senate Bill No. 6400; Senate Bill No. 6402; Senate Bill No. 6406; Senate Bill No. 6418; Senate Bill No. 6450; Senate Bill No. 6464; Senate Bill No. 6487; Senate Bill No. 6504; Senate Bill No. 6505; Senate Bill No. 6514; Senate Bill No. 6523; Senate Bill No. 6536; Senate Bill No. 6545; Senate Bill No. 6553; Senate Bill No. 6557; Senate Bill No. 6578; Senate Bill No. 6635; Senate Bill No. 6083; Senate Bill No. 6094; Senate Bill No. 6251; Senate Bill No. 6481; Senate Joint Memorial 8016; Senate Joint Memorial 8019; Substitute Senate Bill No. 5096; Engrossed Substitute Senate Bill No. 5228; Substitute Senate Bill No. 5354; Substitute Senate Bill No. 5366; Engrossed Second Substitute Senate Bill No. 5483; Engrossed Substitute Senate Bill No. 5536; Substitute Senate Bill No. 5633; and Senate Bill No. 5816.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Zeiger moved adoption of the following resolution:

SENATE RESOLUTION
8688

By Senators Zeiger, Wellman, and Becker

WHEREAS, For the past eighty-seven years, the annual Daffodil Festival has been a cherished tradition for the people of Pierce County; and

WHEREAS, The Daffodil Festival has been an anticipated event that continues to bring communities together to celebrate unity within our diverse community; and

WHEREAS, Since its inception in the 1920's as a modest garden party, it has grown into the festival that we all know, love, and look forward to today; and

WHEREAS, Each year, twenty-three young women pass a rigorous selection process to represent both their schools and their communities across Pierce County; and

WHEREAS, Members of the Royal Court serve as role models for youth around our region. Their volunteerism, civic pride, and willingness to be ambassadors for Pierce County serve as shining examples for all youth in the community; and

WHEREAS, This year's Daffodil Court includes: Hailey Hansen from Orting High School, Cara Brauen from Puyallup High School, Laana Stafford from Lakes High School, Megan Gratzner from Rogers High School, Cassie Redding from Foss High School, Brooklyn Hose from Curtis High School, Shelby Collins from White River High School, Naiseth Munoz from Clover Park High School, Nicole Brandmire from Emerald Ridge High School, Genevieve Hamlin from Wilson High School, Mia McOsker from Graham Kapowsin High School, Tia Bjornson from Stadium High School, Nicole Capps from Sumner High School, Elena Breiner from Bonney Lake High School, Madison Davies from Spanaway Lake High School, Catlina Dillon from Chief Leschi High School, Emily Frey from Eatonville High School, Lindsey Clark from Franklin Pierce High School, Joy Mwangi from Fife High School, Idriana Jan Abinales from Washington High School, Jade Lansberry from Lincoln High School, Hana Hong from Mount Tahoma High School, and Nathalie Perez from Bethel High School;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize and honor the many contributions made to our state by the Daffodil Festival, its organizers, and its Royal Court for the past eighty-seven years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the 2020 Daffodil Festival Officers and to all the members of the 2020 Daffodil Festival Royalty.

Senators Zeiger and Wellman 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. 8688.

The motion by Senator Zeiger carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed members of the 2020 Daffodil Court who were seated in the gallery.

MOTION

Senator McCoy moved adoption of the following resolution:

SENATE RESOLUTION 8691

By Senator McCoy

WHEREAS, There are more than three hundred local education agencies and more than two thousand schools throughout the State of Washington, all of which are working to provide high quality educational opportunities for the students they serve; and

WHEREAS, Each school and community is different, and some have had to overcome great obstacles; and

WHEREAS, Schools should be recognized not only for student achievement, but also for demonstrating growth and closing opportunity gaps; and

WHEREAS, State law directs the State Board of Education, the Office of the Superintendent of Public Instruction, and the Educational Opportunity Gap and Oversight and Accountability Committee to collaborate on school recognition; and

WHEREAS, In 2018, the United States Department of Education approved Washington State's state plan under the federal Every Student Succeeds Act; and

WHEREAS, The shift to the Every Student Succeeds Act accountability system presented an opportunity for Washington State to make its school recognition system more equitable; and

WHEREAS, The Washington school recognition program commits to upholding a recognition framework that showcases schools succeeding in serving all students equitably; and

WHEREAS, Each year, schools are to be identified and recognized for their exemplary performance based on multiple outcomes and indicators that are fair, consistent, transparent, and easily understood by schools and communities; and

WHEREAS, The Washington school recognition program uses state and local data to identify schools that have made gains in targeted areas and are on a path toward overall improvements in achievement, growth, and closing opportunity gaps; and

WHEREAS, In Spring 2020, over three hundred fifty schools across the state will be recognized and celebrated for closing gaps, showing growth, and demonstrating achievement the previous school year;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor state-recognized schools and the extraordinary commitment of Washington State's K-12 schools to our students' futures.

Senators McCoy and Wellman 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. 8691.

The motion by Senator McCoy carried and the resolution was adopted by voice vote.

PERSONAL PRIVILEGE

Senator Sheldon: "Madam President, I, it gives me pause to rise for a somber note after those wonderful resolutions but I want rise and recognize Trooper Tony Radulescu. And, Trooper Tony was killed yesterday, eight years ago in the line of duty. He was performing a routine traffic stop on Highway 16 in Gorst, just outside of Bremerton. Tony had served 16 years with the Washington State Patrol, so add on those eight that he has not served he would be at 24 years today. A wonderful guy, spent time with the community. If you think of somebody, when you see his picture of a trooper that you admire it was Tony. He was very involved as I said with the community and certainly a very liked guy and certainly didn't deserve to be murdered by a driver that he stopped to inspect his vehicle with a light out. So, it's too bad and we will remember Tony. Thank you Madam President."

REMARKS BY SENATOR LIAS

FORTY THIRD DAY, FEBRUARY 24, 2020

2020 REGULAR SESSION

Senator Liias: “Thank you Madam President and thank you to Senator Sheldon. I had the opportunity to meet Tony’s family eight years ago and some of the people that worked with him. So, thank you for that reminder of what a special person he was and his service to the people of Washington.”

MOTION

At 12:18 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Tuesday, February 25, 2020.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FORTY FOURTH DAY

NOON SESSION

Senate Chamber, Olympia
Tuesday, February 25, 2020

The Senate was called to order at 12:03 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 24, 2020

ESHB 1023 Prime Sponsor, Committee on Health Care & Wellness: Allowing certain adult family homes to increase capacity to eight beds. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban, Ranking Member and Becker.

Referred to Committee on Rules for second reading.

February 24, 2020

ESHB 1551 Prime Sponsor, Committee on Health Care & Wellness: Modernizing the control of certain communicable diseases. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban, Ranking Member.

MINORITY recommendation: Do not pass. Signed by Senators Becker; Muzzall and Rivers.

Referred to Committee on Rules for second reading.

February 24, 2020

ESHB 1608 Prime Sponsor, Committee on Health Care & Wellness: Protecting patient care. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban, Ranking Member and Becker.

Referred to Committee on Rules for second reading.

February 24, 2020

SHB 2017 Prime Sponsor, Committee on Appropriations: Concerning collective bargaining for administrative law judges. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and Braun.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

Referred to Committee on Ways & Means.

February 24, 2020

HB 2259 Prime Sponsor, Representative Rude: Expanding background check requirements for certain educational institutions. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 24, 2020

HB 2266 Prime Sponsor, Representative Doglio: Concerning reasonable accommodation for the expression of breast milk without requiring written certification from a health care professional. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 24, 2020

SHB 2378 Prime Sponsor, Committee on Health Care & Wellness: Concerning physician assistants. Reported by Committee on Health & Long Term Care

FORTY FOURTH DAY, FEBRUARY 25, 2020

2020 REGULAR SESSION

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Rules for second reading.

February 24, 2020

ESHB 2411 Prime Sponsor, Committee on Health Care & Wellness: Preventing suicide. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Rules for second reading.

February 24, 2020

ESHB 2443 Prime Sponsor, Committee on Housing, Community Development & Veterans: Requiring the use of personal flotation devices on smaller vessels. Reported by Committee on Transportation

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

February 24, 2020

SHB 2554 Prime Sponsor, Committee on Health Care & Wellness: Mitigating inequity in the health insurance market caused by health plans that exclude certain mandated benefits. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban, Ranking Member; Becker; Muzzall and Rivers.

Referred to Committee on Ways & Means.

February 24, 2020

HB 2587 Prime Sponsor, Representative Ramel: Establishing a program for the designation of state scenic bikeways. Reported by Committee on Transportation

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

February 24, 2020

SHB 2613 Prime Sponsor, Committee on Labor & Workplace Standards: Granting relief of unemployment benefit charges when discharge is required by law and removing outdated statutory language. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Stanford; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

February 24, 2020

HB 2617 Prime Sponsor, Representative Robinson: Concerning the lease or rental of surplus property of school districts. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 24, 2020

ESHB 2638 Prime Sponsor, Committee on Commerce & Gaming: Authorizing sports wagering subject to the terms of tribal-state gaming compacts. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member and Walsh.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Schoesler.

Referred to Committee on Ways & Means.

February 24, 2020

HB 2691 Prime Sponsor, Representative Valdez: Concerning the scope of collective bargaining for language access providers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and Walsh.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Ways & Means.

February 24, 2020

SHB 2711 Prime Sponsor, Committee on Education: Increasing equitable educational outcomes for foster care and homeless children and youth from prekindergarten to postsecondary education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden and Wagoner.

Referred to Committee on Ways & Means.

February 24, 2020

ESHB 2775 Prime Sponsor, Committee on Health Care & Wellness: Practicing colon hydrotherapy. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Muzzall; Rivers and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Becker.

Referred to Committee on Rules for second reading.

February 24, 2020

EHB 2811 Prime Sponsor, Representative Johnson, J.: Establishing a statewide environmental sustainability education program. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden and Wagoner.

Referred to Committee on Rules for second reading.

February 24, 2020

SGA 9284 KENNETH J. PEDERSEN, appointed on March 21, 2019, for the term ending September 8, 2023, as Member of the Public Employment Relations Commission. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Stanford; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

February 24, 2020

SGA 9297 ISABEL A. COLE, appointed on June 18, 2019, for the term ending June 17, 2025, as Member of the Board of Industrial Insurance Appeals. Reported by Committee on Labor & Commerce

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Stanford; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR GUBERNATORIAL APPOINTMENTS

February 10, 2020

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 K. BROOM DAVIDSON, appointed February 10, 2020, for the term ending June 30, 2021, as Member of the Workforce Education Investment Accountability and Oversight Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9391.

February 18, 2020

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.

MARK R. BUSTO, reappointed February 18, 2020, for the term ending September 8, 2024, as Member of the Public Employment Relations Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9392.

February 18, 2020

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.

GERALD L. MARTIN, appointed February 18, 2020, for the term ending September 30, 2024, as Member of the Everett Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9393.

February 19, 2020

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.

JEFFREY J. HENSLER, appointed February 19, 2020, for the term ending September 30, 2025, as Member of the Central Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9394.

MOTION

On motion of Senator Liias, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Hawkins moved adoption of the following resolution:

SENATE RESOLUTION 8685

By Senator Hawkins

WHEREAS, Washington's apple industry is a major contributor to the economic health of both the state and its people; and

WHEREAS, The Wenatchee Valley is preparing to celebrate the 101st annual Washington State Apple Blossom Festival to take place from April 23rd to May 3rd; and

WHEREAS, The Apple Blossom Festival, which began as a one day gathering of songs and speeches in Wenatchee's Memorial park, is the oldest major festival 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

WHEREAS, The Apple Blossom Festival recognizes three young women who by their superior and distinctive efforts have exemplified the noble spirit and meaning of the Apple Blossom Festival; and

WHEREAS, These three young women were selected to reign over the Apple Blossom Festival and serve as ambassadors to the outlying communities as princesses and queen; and

WHEREAS, Kaia St. John has been selected to represent her community as a 2020 Apple Blossom Princess, in part for her many academic achievements and dedication to extracurricular activities, including being part of her High School's ASB for three consecutive years as Senate Member, Student Body Secretary, and Senior Class President; she was involved in the school newspaper, Horticulture and Honors Society, and she has one year of work experience as a tutor and mentor at a middle school after school program while also working on obtaining her High School Diploma and her Associates degree from Wenatchee

Valley College; all of which illustrate her kindness, optimism, and love for her community; and

WHEREAS, Kelly Norland has been selected to represent her community as a 2020 Apple Blossom Princess, in part for her strong leadership skills and dedication to be an exemplary role model to her community, she is the ASB President of her high school, has been a leader in the Random Acts of Kindness Club since middle school, is involved in Honor Society, is currently working on her fourth varsity letter in Community Service, founded an annual Duathlon to raise money for a local beneficiary, is involved in Young Life as a music leader and a volunteer at a month long camp, is a second year Running Start student involved in American Sign Language Club, and is an award winning poet at Wenatchee Valley College, all of which show her dedication to the community she loves; and

WHEREAS, Tess Sparks has been selected to represent her community as the 2020 Apple Blossom Queen, in part for her leadership, volunteer work, and drive to succeed in all that she does, including being the President of her high school's National Honor Society, and being captain of her soccer team her senior year, helping her team win the District Championship title for the first time in her high school's history; she volunteers in the Wenatchee Valley as a member of the Key Club, is a Link Crew Member Leader where she helps students transition from Junior High to High School, and in her free time she enjoys hiking and taking pictures of the beautiful Wenatchee Valley; and

WHEREAS, These three young women desire to share their proven talents and leadership to serve their community and honor the 101st Anniversary of the Apple Blossom Festival;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the accomplishments of the members of the Apple Blossom Royal Court and join the Wenatchee Valley and the people of the State of Washington in celebrating the Washington State Apple Blossom Festival and honoring the positive impact it has had on the state of Washington for 101 years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Queen Tess Sparks, Princess Kaia St. John, Princess Kelly Norland, and the board of directors of the Washington State Apple Blossom Festival.

Senator Hawkins spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8685.

The motion by Senator Hawkins carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the 2020 Apple Blossom Royal Court: Queen Tess Sparks, Princess Kelly Norland, and Princess Kaia St. John who were seated in the gallery.

MOTION

Senator Randall moved adoption of the following resolution:

SENATE RESOLUTION 8690

By Senators Randall, Takko, Stanford, Nguyen, Cleveland, Hunt, Wilson, C., Sheldon, Liias, and Short

WHEREAS, National protections were written into law thirty years ago, while the origin of advocacy for persons with disabilities began as early as 1936 when a grass roots organization of parents from all over Washington state formed; and

WHEREAS, Nearly a quarter of Washingtonians live with some type of disability and rely on such protections every day; and

WHEREAS, Advocates with disabilities, their families, and allies taught the nation that disability is a part of human existence and developed the rallying cry "nothing about us without us"; and

WHEREAS, The Americans with Disabilities Act was the first monumental piece of civil rights legislation for persons with disabilities; and

WHEREAS, This was the accomplishment of self-advocates, their families, and allies of all races, ethnicities, creeds, genders, abilities, and sexual orientations; and

WHEREAS, The ADA provided an encompassing definition of disability, which contends that disability is not a barrier to an individual's participation in society; and

WHEREAS, Washington state is still working to ensure that all persons with disabilities have equal opportunities and access to participate fully in our society; and

WHEREAS, The ADA has been an instrumental tool for advocates with disabilities and families to address such barriers; and

WHEREAS, We remain committed to working alongside advocates with disabilities and their families to address the barriers to equal opportunity and participation in society;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate commemorate the thirtieth anniversary of the Americans with Disabilities Act, which was the result of persistent efforts of self-advocates, their families, and allies from the disability community, but that it is only the beginning of our work.

Senator Randall spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8690.

The motion by Senator Randall carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced self-advocates Ms. Ivanova Smith and Mr. Ryan Nesbitt, Ms. Kelly Nesbitt, mother of Mr. Nesbitt, and Ms. Melissa Lund, Kitsap County Parent Coalition Coordinator, who were seated in the gallery.

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION 8692

By Senators Liias and Salomon

WHEREAS, David Orrin Earling has served the people of Edmonds since 1992, first as a member of the city council and later as mayor of Edmonds since 2011, and has been a strong leader and an asset to the city and our region during a period of significant growth and change; and

WHEREAS, He has dedicated himself to building community, restoring civility, and encouraging civic participation during his tenure as mayor; and

WHEREAS, David Earling has served the public and his community in various capacities since the very beginning of his career, as a beloved music professor at Shoreline Community College, as a member of the Edmonds City Council, the Edmonds Chamber of Commerce, Sound Transit, Senior Services of Snohomish County, and the Central Puget Sound Growth Management Hearings Board, among others; and

WHEREAS, David Earling successfully championed efforts to turn Edmonds into a destination for the arts, including launching the first-ever arts summit in 2013 and leading the city to be named Washington's first certified creative district; and

WHEREAS, He spearheaded growth for the city by overseeing a plan to redevelop the Edmonds stretch of Highway 99 to include more investment in affordable housing and a more pedestrian-friendly feel, promoting a healthy and vibrant feel to the area; and

WHEREAS, He played a key role in the revitalization of Edmonds' public spaces, notably with his efforts to purchase and launch Civic Park, which is now recognized as a first-class downtown facility; and

WHEREAS, David Earling has been widely appreciated and recognized for his spirit of cooperation with fellow leaders, his respectful interactions with colleagues, and his warm connections to many folks in the community;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize retired Edmonds Mayor David Earling, for his service to the people of Washington State, Snohomish County, and the City of Edmonds, and his long career dedicated to improving the lives of its residents; and

BE IT FURTHER RESOLVED, That in acknowledgment of their recent celebration of their fiftieth wedding anniversary, the Senate recognize Susan Earling for her dedication to the community and her loving presence in her husband's life as David undertook the responsibilities of public office throughout the years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to David Earling in celebration of his service to the City of Edmonds.

Senators Liias 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. 8692.

The motion by Senator Liias carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced The Honorable David Earling, Mayor Emeritus of Edmonds, who was seated in the gallery.

MOTION

At 12:27 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, February 26, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FORTY FIFTH DAY**MORNING SESSION**

Senate Chamber, Olympia
Wednesday, February 26, 2020

The Senate was called to order at 10:05 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Julie Jeffers and Miss Abi Gedicke, presented the Colors. Page Miss Julie Danielson led the Senate in the Pledge of Allegiance. The prayer was offered by Father Pete Henriot, SJ, Bellarmine Jesuit Community, Tacoma.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 25, 2020

SB 6168 Prime Sponsor, Senator Rolfes: Making 2019-2021 fiscal biennium supplemental operating appropriations. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6168 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Schoesler and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Muzzall; Rivers; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

February 25, 2020

2EHB 1056 Prime Sponsor, Representative Mosbrucker: Creating a task force to identify the role of the workplace in helping curb domestic violence. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 25, 2020

E2SHB 1110 Prime Sponsor, Committee on Appropriations: Reducing the greenhouse gas emissions associated with transportation fuels. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Das; Liias; McCoy; Nguyen; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Brown and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology and Rivers.

Referred to Committee on Transportation.

February 25, 2020

HB 1242 Prime Sponsor, Representative Blake: Concerning the authorization to impose special excise taxes on the sale of lodging. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended. Signed by Senators Takko, Chair; Salomon, Vice Chair and Lovelett.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short, Ranking Member.

Referred to Committee on Rules for second reading.

February 25, 2020

ESHB 1261 Prime Sponsor, Committee on Environment & Energy: Ensuring compliance with the federal clean water act by prohibiting certain discharges into waters of the state. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Das; Hobbs; Liias; McCoy; Nguyen; Stanford and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Assistant Ranking Member, Environment Sheldon, Assistant Ranking Member, Energy & Technology.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Brown and Short.

Referred to Committee on Rules for second reading.

February 25, 2020

2ESHB 1332 Prime Sponsor, Committee on Environment & Energy: Concerning updating and streamlining energy facility site evaluation council operations. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Das; Liias; McCoy; Nguyen; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member and Brown.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology and Short.

Referred to Committee on Rules for second reading.

February 25, 2020

HB 1841 Prime Sponsor, Representative Riccelli: Establishing minimum crew size on certain trains. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford; Walsh and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun and Schoesler.

Referred to Committee on Rules for second reading.

February 25, 2020

ESHB 2265 Prime Sponsor, Committee on Environment & Energy: Eliminating exemptions from restrictions on the use of perfluoroalkyl and polyfluoroalkyl substances in firefighting foam. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Sheldon, Assistant Ranking Member, Energy & Technology; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member and Brown.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Assistant Ranking Member, Environment and Short.

Referred to Committee on Rules for second reading.

February 25, 2020

SHB 2308 Prime Sponsor, Committee on Appropriations: Requiring employers to periodically report standard occupational classifications or job titles of workers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Ways & Means.

February 25, 2020

E2SHB 2311 Prime Sponsor, Committee on Appropriations: Amending state greenhouse gas emission limits for consistency with the most recent assessment of climate change science. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Das; Liias; McCoy; Nguyen; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Brown; Rivers and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Assistant Ranking Member, Environment Sheldon, Assistant Ranking Member, Energy & Technology.

Referred to Committee on Ways & Means.

February 25, 2020

HB 2319 Prime Sponsor, Representative Fitzgibbon: Concerning the sale of liquor in kegs or containers containing four gallons or more of liquor. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 25, 2020

HB 2412 Prime Sponsor, Representative Stonier: Concerning domestic brewery and microbrewery retail licenses. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 25, 2020

HB 2474 Prime Sponsor, Representative Sells: Concerning sales commissions. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 25, 2020

E2SHB 2518 Prime Sponsor, Committee on Appropriations: Concerning the safe and efficient transmission and distribution of natural gas. Reported by Committee on Environment, Energy & Technology

FORTY FIFTH DAY, FEBRUARY 26, 2020

2020 REGULAR SESSION

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Das; Hobbs; Liias; McCoy; Nguyen; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Brown; Rivers and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Assistant Ranking Member, Environment Sheldon, Assistant Ranking Member, Energy & Technology.

Referred to Committee on Rules for second reading.

February 25, 2020

HB 2601 Prime Sponsor, Representative Tharinger: Concerning the authority of the parks and recreation commission to approve leases. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Ways & Means.

February 25, 2020

ESHB 2645 Prime Sponsor, Committee on Environment & Energy: Concerning the photovoltaic module stewardship and takeback program. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Ericksen, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Brown and Short.

Referred to Committee on Ways & Means.

February 25, 2020

HB 2701 Prime Sponsor, Representative Ormsby: Concerning inspection and testing of fire and smoke control systems and dampers. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

February 25, 2020

SHB 2758 Prime Sponsor, Committee on Labor & Workplace Standards: Recognizing posttraumatic stress disorders

of 911 emergency dispatch personnel. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 25, 2020

EHB 2819 Prime Sponsor, Representative Mosbrucker: Designating pumped storage projects located in a county bordering the Columbia river utilizing statutorily authorized water rights to be projects of statewide significance. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy and Short.

MINORITY recommendation: Do not pass. Signed by Senator Rolfes.

Referred to Committee on Rules for second reading.

February 25, 2020

HB 2826 Prime Sponsor, Representative Peterson: Clarifying the authority of the liquor and cannabis board to regulate marijuana vapor products. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Ways & Means.

February 25, 2020

SHB 2868 Prime Sponsor, Committee on Finance: Allowing for extensions of the special valuation of historic property for certain properties. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

February 25, 2020

E2SHB 2870 Prime Sponsor, Committee on Appropriations: (REVISED FOR ENGROSSED: Allowing the issuance and reissuance of marijuana retail licenses under the social equity program.) Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Stanford; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Schoesler.

Referred to Committee on Rules for second reading.

February 25, 2020

ESHB 2890 Prime Sponsor, Committee on Local Government: Concerning boarding homes. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended. Signed by Senators Takko, Chair; Short, Ranking Member; Honeyford and Lovelett.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Salomon, Vice Chair.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6693 by Senator Mullet

AN ACT Relating to restoring revenue from the real estate excise tax to the public works assistance account; and amending RCW 82.45.230.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

The President suspended Senate Rule 20 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 Mullet moved adoption of the following resolution:

SENATE RESOLUTION 8689

By Senators Mullet and Wellman

WHEREAS, The students of the Tahoma High School enrolled in the We the People: The Citizen and Constitution program have

exhibited significant knowledge of the Constitution of the United States and the lessons taught by our forefathers; and

WHEREAS, On Saturday, January 11, 2020, the Tahoma High School team won the state We the People competition, the school's eleventh consecutive state championship and its twenty-fourth state championship in the last twenty-six years; and

WHEREAS, These students will represent their state this spring at the thirty-third annual 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, The Tahoma team is coached by Gretchen Wulfig, who was named Washington's Civic Educator of the Year in 2011 and was honored as one of Washington's Civic Educators of 2016, and who, having coached Tahoma's team for twelve years, has significantly deepened her students' knowledge of the U.S. Constitution and Bill of Rights, helping them build important twenty-first century workplace skills, such as time management, reaching consensus, public speaking, conflict management, and working cooperatively as a team; and

WHEREAS, Studies have shown that students who participate in the We the People program excel in their knowledge of civics and the history of the United States constitutional democratic republic, including scoring higher than their peers on tests of civic dispositions, with respect for civic duty, commitment to government service, community involvement, political attentiveness, respect for the rule of law, and the norms of political efficacy and political tolerance; and

WHEREAS, In 2019, the Tahoma team took ninth place at the We the People National Finals in Washington, D.C., marking the sixth time in the last eight years that the school has advanced to the top ten at the finals;

NOW, THEREFORE, BE IT RESOLVED, That the Senate honor Riley Barlett, Dane Bowman-Weston, Katerina Bruhl, Matthew Bruneel, Neena Chana, Claire Cunningham, Grace Denison, Shelby Ellis, Djanaya Esiong, Issabella Huser, Sarah Kropelnicki, Preston Lievano, Jaden Mason, Aidan Mercado, Emma Nickel, Gage Nickel, Calvin O'Connell, Luke Oriolt, Daniela Perezchica-Trancoso, Claire Riordan, Elizabeth St. John, Jasmine Tran, and Janey Yee 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 Wulfig, and Tahoma High School Principal Terry Duty to convey the respect of this body for a phenomenal job and continued success in their future endeavors.

Senator 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. 8689.

The motion by Senator Mullet carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the We the People team from Tahoma High School in Maple Valley led by instructor, Ms. Gretchen Wulfig, who were seated in the gallery.

MOTION

Senator Honeyford moved adoption of the following resolution:

SENATE RESOLUTION

MOTION

By Senators Honeyford, Warnick, Schoesler, Wagoner, Zeiger, Wilson, L., Brown, Van De Wege, Muzzall, Holy, Becker, King, Short, O'Ban, Rivers, Hawkins, Conway, and Wellman

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6248, by Senators Frockt and Honeyford

Concerning the capital budget.

MOTION

On motion of Senator Frockt, 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 Frockt moved that the following striking floor amendment no. 1173 by Senator Frockt be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A supplemental capital budget is hereby adopted and, subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for capital projects during the period beginning with the effective date of this act and ending June 30, 2021, out of the several funds specified in this act.

PART 1

GENERAL GOVERNMENT

Sec. 1001. 2019 c 413 s 1009 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Building Communities Fund Program (30000803)

The reappropriation in this section is subject to the following conditions and limitations:

(1) \$1,455,000 of the amount reappropriated in this section is provided solely for the Byrd Barr place, formerly known as Centerstone, building renovation project.

(2) \$220,000 of the amount reappropriated in this section is provided solely for El Centro de la Raza boiler fan and master plan for rehabilitation. This amount is not subject to the match requirements, pursuant to RCW 43.63A.125.

Reappropriation:

State Building Construction Account—State	\$1,675,000
Prior Biennia (Expenditures).....	(\$19,184,000)
.....	<u>\$17,990,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL.....	<u>\$20,859,000</u>
.....	<u>\$19,665,000</u>

Sec. 1002. 2019 c 413 s 1029 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2019-21 Housing Trust Fund Program (40000036)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$129,050,000 of the state taxable building construction account—state appropriation and ~~(\$45,950,000)~~ \$42,950,000 of the state building construction account—state appropriation are

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced representatives of th Washington Farm Bureau, including: Mr. Mike LaPlant, President; Mr. Brad Haberman, First Vice President; Ms. Anne Lawrence, Second Vice President; and Mr. John Stuhlmiller, Chief Executive Officer who were seated in the gallery.

MOTION

At 10:22 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:04 a.m. by President Habib.

provided solely for production and preservation of affordable housing. Of the amounts in this subsection:

(a) \$35,000,000 of the appropriation is provided solely for housing projects that provide supportive housing and case-management services to persons with ~~((behavioral or))~~ chronic mental illness. When evaluating applications for this population, the department must prioritize low-income supportive housing unit proposals that show:

(i) Evidence that the application was developed in collaboration with one or more health care entities that provide behavioral health care services to individuals eligible for the housing provided under this subsection;

(ii) A commitment by the applicant to provide, directly or through a formal partnership, necessary treatment and supportive services to the tenants and maintain the beds or housing units for at least a forty-year period;

(iii) Readiness to begin structural modifications or construction resulting in a fast project completion;

(iv) Program requirements that adhere to the key elements of permanent supportive housing programs including choice in housing and living arrangements, functional separation of housing and services, community integration, rights of tenancy, and voluntary recovery-focused services; and

(v) To achieve geographic distribution, the department must prioritize projects in rural areas as defined by the department per RCW 43.185.050 and unserved communities with the goal of maximizing the investment and increasing the number of supportive housing units in rural, unserved communities.

(b) \$10,000,000 of the appropriation in this section is provided solely for competitive grant awards for modular housing which includes high quality affordable housing projects that will quickly move people from homelessness into secure housing and are significantly less expensive to construct than traditional housing. These funds must be awarded to projects with a total project development cost per housing unit of less than \$125,000, excluding the value of land, off-site infrastructure costs, and any capitalized reserves, compliant with the Americans with disabilities act, and with a commitment by the applicant to maintain the housing units for at least a fifty year period.

(c) \$10,000,000 of the appropriation in this section is provided solely for a state match or state matches on private contributions that fund the production and preservation of affordable housing. Awards must be made using a competitive process. If any funding remains unallocated after the first fiscal year during the 2019-2021 fiscal biennium, the department may allocate the remaining funding through its annual competitive process for affordable housing projects that serve and benefit low-income and special needs populations in need of housing.

(d)(i) \$10,000,000 of the appropriation in this section is provided solely for housing preservation grants or loans to be awarded competitively.

(ii) The funds may be provided for major building improvements, preservation, and system replacements, necessary for the existing housing trust fund portfolio to maintain long-term viability. The department must require a capital needs assessment to be provided prior to contract execution. Funds may not be used to add or expand the capacity of the property.

(iii) To allocate preservation funds, the department must review applications and evaluate projects based on the following criteria:

(A) The age of the property, with priority given to buildings that are more than fifteen years old;

(B) The population served, with priority given to projects with at least 50 percent of the housing units being occupied by families and individuals at or below 50 percent area median income;

(C) The degree to which the applicant demonstrates that the improvements will result in a reduction of operating or utilities costs, or both;

(D) The potential for additional years added to the affordability period of the property; and

(E) Other criteria that the department considers necessary to achieve the purpose of this program.

(e)(i) \$7,000,000 of the appropriation in this section is provided solely for loans or grants to design and construct ultra-high energy efficient affordable housing projects.

(ii) To receive funding, a project must provide a life-cycle cost analysis report to the department and must demonstrate energy-saving and renewable energy systems either designed to reach net-zero energy use after housing is fully occupied or designed to achieve the most recent building standard of the passive house institute US as of the effective date of this section.

(iii) The department must consider, at a minimum and in any order, the following factors in assigning a numerical ranking to a project:

(A) Whether the proposed design has demonstrated that the project will achieve either net-zero energy use when fully occupied or will achieve the most recent building standard of the passive house institute US as of the effective date of this section;

(B) The life-cycle cost of the project;

(C) That the project demonstrates a design, use of materials, and construction process that can be replicated by the Washington building industry;

(D) The extent to which the project leverages nonstate funds;

(E) The extent to which the project is ready to proceed to construction;

(F) Whether the project promotes sustainable use of resources and environmental quality;

(G) Whether the project is being well managed to fund maintenance and capital depreciation;

(H) Reduction of housing and utilities carbon footprint; and

(I) Other criteria that the department considers necessary to achieve the purpose of this program.

(iv) The department must monitor and track the results of the housing projects that receive ultra-high energy efficiency funding under this section.

(f) ~~(\$45,950,000)~~ \$42,950,000 of the appropriation in this section is provided solely for the following list of housing projects:

Bellwether Housing (Seattle)	\$6,000,000
Capitol Hill Housing Broadway (Seattle).....	\$6,000,000
Crosswalk Teen Shelter and Transitional Housing Project (Spokane)	\$1,000,000
Ethiopian Community Affordable Housing (Seattle)	\$3,000,000
FUSION Emergency Housing for Homeless Families (Federal Way).....	\$3,000,000
Highland Village (Airway Heights)	\$5,500,000
Home At Last (Tacoma).....	(\$1,500,000)
	<u>\$2,500,000</u>
Interfaith Works Shelter (Olympia).....	\$3,000,000
(NorthHaven Affordable Senior Housing Campus (Seattle)	\$1,000,000)
Pateros Gardens (Pateros)	\$1,400,000
((Roslyn Housing Project (Roslyn)	\$2,000,000))
SCIDpda North Lot (Seattle).....	\$9,000,000
((Seattle Indian Health Board—Low Income Housing (Seattle).....	\$1,000,000))
Tenny Creek Assisted Living (Vancouver)	\$1,750,000
THA Arlington Drive (Tacoma).....	\$800,000

(g) \$6,000,000 of the appropriation for Capitol Hill Housing Broadway (Seattle) in (f) of this subsection is provided solely for

FORTY FIFTH DAY, FEBRUARY 26, 2020

2020 REGULAR SESSION

the purchase of the three south annex properties. The state board for community and technical colleges must transfer the three south annex properties located at 1530 Broadway, 1534 Broadway, and 909 East Pine street in Seattle to Capitol Hill Housing to provide services and housing for homeless youth or young adults for a minimum of fifty years. The transfer agreement between the state board for community and technical colleges and Capitol Hill Housing must specify a mutually agreed transfer date and require Capitol Hill Housing to cover any closing costs with a total purchase price of nine million dollars for all three properties. The contract between the department and Capitol Hill Housing must provide that Capitol Hill Housing will be responsible for maintaining and securing the property until it is developed. The contract must also specify that, if Capitol Hill Housing does not construct at least seventy affordable housing units on the site by 2028, this funding must be fully repaid to the state or the land must revert back to the state.

(h) \$57,050,000 of the appropriation in this section is provided solely for affordable housing projects that serve and benefit low-income and special needs populations in need of housing. Of the amounts appropriated in this subsection, the department must allocate the funds as follows:

(i) \$5,000,000 of the appropriation in this section is provided solely for housing for veterans;

(ii) \$5,000,000 of the appropriation in this section is provided solely for housing that serves people with developmental disabilities;

(iii) \$5,000,000 of the appropriation in this section is provided solely for housing that serves people who are employed as farmworkers; and

(iv)(A) \$5,000,000 of the appropriation in this section is provided solely for housing projects that benefit homeownership.

(B) During the 2019-2021 fiscal biennium, the department must use a separate application form for applications to provide homeownership opportunities and evaluate homeownership project applications as allowed under chapter 43.185A RCW.

(C) In addition to the definition of "first-time home buyer" in RCW 43.185A.010, for the purposes of awarding homeownership projects during the 2019-2021 fiscal biennium "first time home buyer" also includes:

(I) A single parent who has only owned a home with a former spouse while married;

(II) An individual who is a displaced homemaker as defined in 24 C.F.R. Sec. 93.2 as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, and has only owned a home with a spouse;

(III) An individual who has only owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations; or

(IV) An individual who has only owned a property that is discerned by a licensed building inspector as being uninhabitable.

(2) In evaluating projects in this section, the department must give preference for applications based on some or all of the criteria in RCW 43.185.070(5).

(3)(a) The department must strive to allocate all of the amounts appropriated in this section within the 2019-2021 fiscal biennium in the manner prescribed in subsection (1) of this section. However, if upon review of applications the department determines there are not adequate suitable projects in a category, the department may allocate funds to projects serving other low-income and special needs populations, provided those projects are located in an area with an identified need for the type of housing proposed.

(b) By June 30, 2021, the department must report on its web site the following for every previous funding cycle: The number of homeownership and multifamily rental projects funded by housing trust fund moneys; the percentage of housing trust fund investments made to homeownership and multifamily rental projects; and the total number of households being served at up to eighty percent of the area median income, up to fifty percent of the area median income, and up to thirty percent of the area median income, for both homeownership and multifamily rental projects.

(4)(a) The department, in cooperation with the housing finance commission, must develop and implement a process for the collection of certified final development cost data from each grant or loan recipient under this section. The department must use this data as part of its cost containment policy.

(b) Beginning December 1, 2019, and continuing annually, the department must provide the legislature with a report of its final cost data for each project under this section. Such cost data must, at a minimum, include total development cost per unit for each project completed within the past year, descriptive statistics such as average and median per unit costs, regional cost variation, and other costs that the department deems necessary to improve cost controls and enhance understanding of development costs. The department must coordinate with the housing finance commission to identify relevant development costs data and ensure that the measures are consistent across relevant agencies.

(5) \$10,000,000 of the state building construction account—state appropriation is provided solely for the preservation of affordable multifamily housing at risk of losing affordability due to expiration of use restrictions that otherwise require affordability, including, but not limited to, United States department of agriculture funded multifamily housing.

(a) Within the amount provided in this subsection (5), the department must implement necessary procedures no later than July 1, 2020, to enable rapid commitment of funds on a first-come, first-served basis to qualifying project proposals that satisfy the goal of long-term preservation of Washington's affordable multifamily housing stock, particularly in rural areas of the state.

(b) The department must adhere to the following award terms and procedures for the rapid response program created with this appropriation:

(i) The department shall evaluate applications for funding based on some or all of the criteria in RCW 43.185.070(5).

(ii) The funding is not subject to the ninety-day application periods in RCW 43.185.070 or 43.185A.050.

(iii) Awards must be in the form of a recoverable grant with a forty-year low income housing covenant on the land.

(iv) If a capital needs assessment is required, the department must work with the applicant to ensure that this does not create an unnecessary impediment to rapidly accessing these funds.

(v) Awards may be used for acquisition, or for acquisition and rehabilitation of, properties to preserve the affordable housing units beyond existing use restrictions and keep them in Washington's housing portfolio.

(vi) No single award may exceed \$2,500,000, although the department must consider waivers of this award cap if an applicant demonstrates sufficient need. If the department receives simultaneous applications for funding under this program, proposals that reach the greatest public benefit, as defined by the department, must be prioritized. For purposes of this subsection (5), "greatest public benefit" includes, but is not limited to:

(A) The greatest number of units that will be preserved;

(B) Whether the project has federally funded rental assistance tied to it;

(C) The scarcity of the affordable housing applied for compared to the number of available affordable housing units in the same geographic location; and

(D) The program's established funding priorities under RCW 43.185.070(5).

(vii) The award limit in (vi) of this subsection (5) may only be applied to the awards provided under this subsection (5). The amount awarded from this subsection (5) may not be calculated in award limitations for other housing trust fund awards.

Appropriation:

State Building Construction Account—State	(\$45,950,000)
.....	<u>\$52,950,000</u>
State Taxable Building Construction Account—State	
.....	\$129,050,000
Subtotal Appropriation	(\$175,000,000)
.....	<u>\$182,000,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$480,000,000
TOTAL	<u>\$655,000,000</u>
.....	<u>\$662,000,000</u>

Sec. 1003. 2019 c 413 s 1030 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Pacific Tower Capital Improvements (40000037)

Appropriation:

State Taxable Building Construction Account—State	(\$1,020,000)
.....	<u>\$1,376,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$5,311,000
TOTAL	<u>\$6,331,000</u>
.....	<u>\$6,687,000</u>

Sec. 1004. 2019 c 413 s 1035 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Clean Energy Transition 4 (40000042)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations are provided solely for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state. Priority must be given to projects that benefit vulnerable populations, including tribes and communities with high environmental or energy burden.

(2) In soliciting and evaluating proposals, awarding contracts, and monitoring projects under this section, the department must:

(a) Ensure that competitive processes, rather than sole source contracting processes, are used to select all projects, except as otherwise noted in this section; and

(b) Conduct due diligence activities associated with the use of public funds including, but not limited to, oversight of the project selection process, project monitoring, and ensuring that all applications and contracts fully comply with all applicable laws including disclosure and conflict of interest statutes.

(3)(a) Pursuant to chapter 42.52 RCW, the ethics in public service act, the department must require a project applicant to identify in application materials any state of Washington employees or former state employees employed by the firm or on the firm's governing board during the past twenty-four months. Application materials must identify the individual by name, the agency previously or currently employing the individual, job title or position held, and separation date. If it is determined by the department that a conflict of interest exists, the applicant may be disqualified from further consideration for award of funding.

(b) If the department finds, after due notice and examination, that there is a violation of chapter 42.52 RCW, or any similar statute involving a grantee who received funding under this section, either in procuring or performing under the grant, the department in its sole discretion may terminate the funding grant by written notice. If the grant is terminated, the department must reserve its right to pursue all available remedies under law to address the violation.

(4) The requirements in subsections (2) and (3) of this section must be specified in funding agreements issued by the department.

(5) \$6,107,000 of the state building construction account—state appropriation is provided solely for grid modernization grants for projects that: Advance clean and renewable energy technologies and transmission and distribution control systems; support integration of renewable energy sources, deployment of distributed energy resources, and sustainable microgrids; and increase utility customer options for energy sources, energy efficiency, energy equipment, and utility services.

(a) Projects must be implemented by public and private electrical utilities that serve retail customers in the state. Priority must be given to: (i) Projects that benefit vulnerable populations, including tribes and communities with high environmental or energy burden; and (ii) projects that have a partner that is a tribe or nonprofit organization that serves community eligible entities. Utilities may partner with other public and private sector research organizations, businesses, tribes, and nonprofit organizations in applying for funding.

(b) The department shall develop a grant application process to competitively select projects for grant awards, to include scoring conducted by a group of qualified experts with application of criteria specified by the department. In development of the application criteria, the department shall, to the extent possible, allow smaller utilities or consortia of small utilities to apply for funding.

(c) Applications for grants must disclose all sources of public funds invested in a project.

(d) \$4,400,000 of the state building construction account—state appropriation is provided solely for providing shore power electrification at terminal five for the northwest seaport alliance. In order to receive this grant, the northwest seaport alliance must demonstrate that they applied to the VW settlement for this project and were denied.

(6)(a) \$8,100,000 of the state building construction account—state appropriation is provided solely for competitive grants for strategic research and development for new and emerging clean energy technologies. These grants will be used to match federal or other nonstate funds to research, develop, and demonstrate clean energy technologies.

(b) The department shall consult and coordinate with the University of Washington, Washington State University, the Pacific Northwest national laboratory and other clean energy organizations to design the grant program. Clean energy organizations who compete for grants from the program may not participate in the design of the grant program. Criteria for the grant program must include life cycle cost analysis for projects that are part of the competitive process.

(c) The program may include, but is not limited to: Solar technologies, advanced bioenergy and biofuels, development of new earth abundant materials or lightweight materials, advanced energy storage, battery components recycling, and new renewable energy and energy efficiency technologies.

(d) \$1,000,000 of the state building construction account—state appropriation is provided solely for grants that enhance the viability of dairy digester bioenergy projects, energy efficiency, and resource recovery to demonstrate advanced nutrient recovery

FORTY FIFTH DAY, FEBRUARY 26, 2020

2020 REGULAR SESSION

systems that produce value added biofertilizers, reduce trucking of lagoon water, and improve soil health and air and water quality. Grants shall include at least one project east of the Cascades and one project west of the Cascades. State agencies must promote and demonstrate the use of such recovered biofertilizers through state procurement and contracts.

(7)(a) \$3,000,000 of the state taxable building construction account—state appropriation is provided solely as grants to nonprofit lenders to create a revolving loan fund to support the widespread use of proven energy efficiency and renewable energy technologies by households with high energy burden or environmental health risk now inhibited by lack of access to capital.

(b) The department shall provide grant funds to one or more competitively selected nonprofit lenders that will provide matching private capital and will administer the loan fund. The department must select the loan fund administrator or administrators through a competitive process, with scoring conducted by a group of qualified experts, applying criteria specified by the department.

(c) The department must establish guidelines that specify applicant eligibility, the screening process, and evaluation and selection criteria. The guidelines must be used by the nonprofit lenders.

(8) \$5,000,000 of the state building construction account—state appropriation is provided solely for the Washington Maritime Innovation Center. The center must be used to support technology acceleration and incubation, and act as a focal point for maritime sustainability, including, but not limited to, supporting technology development for maritime decarbonization and electrification.

(9) \$8,300,000 of the state taxable construction account—state appropriation is provided solely for scientific instruments to help accelerate research in grid-scale energy storage at the proposed grid-scale energy storage research, development, and testing facility at the Pacific Northwest national laboratory. The state funds are contingent on securing federal funds for the new facility, and are provided as a match to the federal funding. The instruments will support collaborations with the University of Washington and the Washington State University.

(10) \$593,000 of the state building construction account—state appropriation is provided solely to the port of Grays Harbor for an offshore ocean wave renewable energy demonstration project.

(11) \$1,500,000 of the state building construction account—state appropriation is provided solely to the ~~((Port of))~~ Skagit county public works department for the Guemes ferry dock shore power charging infrastructure.

Appropriation:

State Building Construction Account—State.....	\$21,300,000
State Taxable Building Construction Account—State	\$11,300,000
Subtotal Appropriation	\$32,600,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$160,000,000
TOTAL	\$192,600,000

Sec. 1005. 2019 c 413 s 1041 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2019-21 Behavioral Health Capacity Grants (40000114)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for the department of commerce to issue grants to community hospitals or other community providers to expand and establish new capacity for behavioral health services in communities. The

department of commerce must consult an advisory group consisting of representatives from the department of social and health services, the health care authority, one representative from a managed care organization, one representative from an accountable care organization, and one representative from the association of county human services. Amounts provided in this section may be used for construction and equipment costs associated with establishment of the facilities. The department of commerce may approve funding for the acquisition of a facility or land if the project results in increased capacity. Amounts provided in this section may not be used for operating costs associated with the treatment of patients using these services.

(2) The department must establish criteria for the issuance of the grants, which must include:

(a) Evidence that the application was developed in collaboration with one or more regional behavioral health entities that administer the purchasing of services;

(b) Evidence that the applicant has assessed and would meet gaps in geographical behavioral health services needs in their region;

(c) Evidence that the applicant is able to meet applicable licensing and certification requirements in the facility that will be used to provide services;

(d) A commitment by applicants to serve persons who are publicly funded and persons detained under the involuntary treatment act under chapter 71.05 RCW;

(e) A commitment by the applicant to maintain and operate the beds or facility for a time period commensurate to the state investment, but for at least a fifteen-year period;

(f) The date upon which structural modifications or construction would begin and the anticipated date of completion of the project;

(g) A detailed estimate of the costs associated with opening the beds;

(h) A financial plan demonstrating the ability to maintain and operate the facility; and

(i) The applicant's commitment to work with local courts and prosecutors to ensure that prosecutors and courts in the area served by the hospital or facility will be available to conduct involuntary commitment hearings and proceedings under chapter 71.05 RCW.

(3) In awarding funding for projects in subsection (5) of this section, the department, in consultation with the advisory group established in subsection (1) of this section, must strive for geographic distribution and allocate funding based on population and service needs of an area. The department must consider current services available, anticipated services available based on projects underway, and the service delivery needs of an area.

(4) The department must prioritize projects that increase capacity in unserved and underserved areas of the state.

(5) \$47,000,000 is provided solely for a competitive process for each category listed and is subject to the criteria in subsections (1), (2), (3), and (4) of this section:

(a) \$4,000,000 is provided solely for at least two enhanced service facilities for long-term placement of patients discharged or diverted from the state psychiatric hospitals and that are not subject to federal funding restrictions that apply to institutions of mental diseases;

(b) \$10,000,000 is provided solely for enhanced adult residential care facilities for long-term placements of dementia discharged or diverted from the state psychiatric hospitals and are not subject to federal funding restrictions that apply to institutions of mental diseases;

(c) \$4,000,000 is provided solely for at least two facilities with secure withdrawal management and stabilization treatment beds

that are not subject to federal funding restrictions that apply to institutions of mental diseases;

(d) \$2,000,000 is provided solely for one or more crisis diversion or stabilization facilities to add sixteen beds in the Spokane region that will address both urban and rural needs, consistent with the settlement agreement in *A.B., by and through Trueblood, et al., v. DSHS, et al.* and that are not subject to federal funding restrictions that apply to institutions of mental diseases;

(e) \$5,000,000 is provided solely for at least four mental health peer respite centers that are not subject to federal funding restrictions that apply to institutions of mental diseases. No more than one mental health peer respite center should be funded in each of the nine regions;

(f) \$8,000,000 is provided solely for the department to provide grants to community hospitals, freestanding evaluation and treatment providers, or freestanding psychiatric hospitals to develop capacity for beds to serve individuals on ninety-day or one hundred eighty-day civil commitments as an alternative to treatment in the state hospitals. In awarding this funding, the department must coordinate with the department of social and health services, the health care authority, and the department of health and must only select facilities that meet the following conditions:

(i) The funding must be used to increase capacity related to serving individuals who will be transitioned from or diverted from the state hospitals;

(ii) The facility is not subject to federal funding restrictions that apply to institutions of mental diseases;

(iii) The provider has submitted a proposal for operating the facility to the health care authority;

(iv) The provider has demonstrated to the department of health and the health care authority that it is able to meet the applicable licensing and certification requirements for the facility that will be used to provide services; and

(v) The health care authority has confirmed that it intends to contract with the facility for operating costs within funds provided in the omnibus operating appropriations act for these purposes.

(g) \$4,000,000 is provided solely for competitive community behavioral health grants to address regional needs;

(h) \$8,000,000 is provided solely for at least four intensive behavioral health treatment facilities for long-term placement of behavioral health patients with complex needs and that are not subject to federal funding restrictions that apply to institutions of mental diseases; and

(i) \$2,000,000 is provided solely for grants to community providers to increase behavioral health services and capacity for children and minor youth including, but not limited to, services for substance use disorder treatment, sexual assault and traumatic stress, anxiety, or depression, and interventions for children exhibiting aggressive or depressive behaviors in facilities that are not subject to federal funding restrictions. Consideration must be given to programs that incorporate outreach and treatment for youth dealing with mental health or social isolation issues.

(6) \$1,000,000 of the state taxable building construction account—state is provided solely for deposit into the revolving fund established in Second Substitute House Bill No. 1528 (recovery support services) for capital improvements. ~~((If the bill is not enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(7) ~~(\$49,543,000)~~ (a) \$47,935,000 is provided solely for the following list of projects and is subject to the criteria in subsection (1) of this section:

CHAS Spokane Behavioral Health	\$400,000
((Chelan SUD Design	\$206,000
Columbia Valley Community Health Remodel	\$31,000)

Colville SUD Facility	\$4,523,000
((Community Health of Snohomish County Edmonds	\$1,000,000))
DESC Health Clinic	\$6,000,000
Detox/Inpatient SUD Building (Centralia)	\$750,000
Evergreen RC Addiction Treatment Facility for Mothers (Everett)	\$2,000,000
HealthPoint Behavioral Health Expansion (Auburn)	\$1,030,000
Issaquah Opportunity Center (Issaquah)	\$3,000,000
Jamestown S'Klallam Behavioral Health.....	\$7,200,000
Lynnwood Sea Mar Behavioral Health Expansion	\$1,000,000
Nexus Youth and Families	\$535,000
North Sound SUD Treatment Facility (Everett) ..	\$1,500,000
Oak Harbor Tri-County Behavioral Health	\$1,000,000
Peninsula Community Health Services Behavioral Health Expansion (Bremerton).....	\$1,700,000
Providence Regional Medical Center	\$4,700,000
((Sea Mar Community Health Centers Seattle BH (Seattle)	\$371,000))
Sedro-Woolley North Sound E&T	\$6,600,000
Spokane Crisis Stabilization.....	\$2,000,000
Virginia Mason Acute Stabilization	\$2,200,000
Yakima Neighborhood Health Services	\$488,000
Yakima Valley Farm Workers Clinic.....	\$309,000
YVFWC Children's Village.....	\$1,000,000

(b) \$3,577,000 is provided solely for the following list of projects and is subject to the criteria in subsection (1) of this section, except that the following projects are not required to establish new capacity:

<u>Chelan SUD Design</u>	<u>\$206,000</u>
<u>Community Health of Snohomish County Edmonds</u>	<u>\$1,000,000</u>
<u>The Parkside Place Project (Wenatchee).....</u>	<u>\$2,000,000</u>
<u>Sea Mar Community Health Centers Seattle BH (Seattle)</u>	<u>\$371,000</u>

~~(8)((a) \$20,000,000 of the appropriation in this section is provided solely for a contract with MultiCare to provide a mixed-use psychiatric care facility in Auburn. The facility must include twelve to eighteen crisis stabilization beds, sixty commitment beds for short term stays, and sixty long term involuntary commitment beds for persons on a ninety day or one hundred eighty day civil commitment.~~

(b) ~~The funding in this subsection is subject to the recipient maintaining and operating the beds for at least thirty years to serve (i) persons who are publicly funded and (ii) persons who are detained under the involuntary treatment act under chapter 71.05 RCW.~~

(9)) \$408,000 is provided solely for the department for the purpose of providing technical assistance for the community behavioral health grants.

~~((49))~~ (9) The department of commerce must notify all applicants that they may be required to have a construction review performed by the department of health.

~~((44))~~ (10) To accommodate the emergent need for behavioral health services, the department of health and the department of commerce, in collaboration with the health care authority and the department of social and health services, must establish a concurrent and expedited process to assist grant applicants in meeting any applicable regulatory requirements necessary to operate inpatient psychiatric beds, freestanding evaluation and treatment facilities, enhanced services facilities, triage facilities, crisis stabilization facilities, or secure detoxification/secure withdrawal management and stabilization facilities.

FORTY FIFTH DAY, FEBRUARY 26, 2020

2020 REGULAR SESSION

((42)) (11) The department must strive to allocate all of the amounts appropriated within subsection (5) of this section in the manner prescribed. However, if upon review of applications, the department determines, in consultation with the advisory group established in subsection (1) of this section, that there are not adequate suitable projects in a category, the department may allocate funds to other behavioral health capacity project categories within subsection (5) of this section, prioritizing projects in unserved areas of the state.

((43)) (12) The department must provide a progress report by November 1, 2020. The report must include:

(a) The total number of applications and amount of funding requested;

(b) A list and description of the projects approved for funding including state funding, total project cost, services anticipated to be provided, bed capacity, and anticipated completion date; and

(c) A status report of projects that received funding in prior funding rounds, including details about the project completion and the date the facility began providing services.

Appropriation:

State Building Construction Account—State	(\$117,951,000)
.....	<u>\$98,920,000</u>
<u>State Taxable Building Construction Account—State</u>	<u>\$1,000,000</u>
.....	<u>\$1,000,000</u>
<u>Subtotal Appropriation</u>	<u>\$99,920,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$360,000,000
TOTAL	<u>\$477,951,000</u>
.....	<u>\$459,920,000</u>

Sec. 1006. 2019 c 413 s 1042 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2020 Local and Community Projects (40000116)

The appropriation in this section is subject to the following conditions and limitations:

(1) The department shall not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) In contracts for grants authorized under this section the department shall include provisions which require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The appropriation is provided solely for the following list of projects:

?al?al "Home" in Lushootseed (Seattle)	\$947,000
4th Ave. Street Enhancement (White Center)	\$670,000
Abigail Stuart House (Olympia).....	\$250,000
Aging in PACE Washington (AiPACE) (Seattle)	\$1,500,000
Airport Utility Extension (Pullman).....	\$1,626,000
Aquatic and Recreation Center (King County)....	\$1,050,000
Arivva Community Center (Tacoma).....	\$1,000,000
Arlington B&G Club Parking Safety (Arlington)...	\$530,000
Asotin Masonic Lodge (Asotin)	\$62,000
Auburn Arts & Culture Center (Auburn).....	\$500,000
Audubon Center (Sequim).....	\$1,000,000
B&GC of Olympic Peninsula (Port Angeles).....	\$500,000
B&GC of Thurston County (Lacey)	\$98,000
Ballard Food Bank (Seattle)	\$750,000
(Battle Ground YMCA (Battle Ground)	\$500,000)
Beacon Center Renovation (Tacoma).....	\$1,000,000
Bellevue HERO House (Bellevue)	\$46,000
Benton Co. Museum Building Improvements (Prosser)	.....
.....	\$103,000
Big Brothers Big Sisters Learning Lab (Olympia) ...	\$56,000
Blue Mountain Action Council Comm. Services Center	(Walla Walla)
.....	\$1,000,000
Bothell Downtown Revitalization (Bothell).....	\$1,500,000
Bowers Field Airport (Ellensburg)	\$275,000
Boys & Girls Club of Thurston Co. Upgrades (Rochester)	.....
.....	\$31,000
Boys & Girls Club Roof and Flooring Repairs (Federal Way)	.....
.....	\$319,000
Breeze Creek Culvert Replacement/East 4th St. Widening	(La Center)
.....	\$1,500,000
Browns Park Project (Spokane Valley)	\$536,000
Buffalo Soldiers' Museum (Seattle).....	\$200,000
Camas Washougal Nature Play Area (Washougal)	\$103,000
Campus Towers (Longview)	\$228,000
Carbonado Water Source Protection Acquisition	(Carbonado).....
.....	\$1,500,000
Carl Maxey Center (Spokane).....	\$350,000
Carlisle Lake Park Improvements (Onalaska).....	\$213,000
Carlisle Housing Facility Upgrades (Spokane)	\$400,000
Cathlamet Pioneer Center Restoration (Cathlamet)	\$165,000
Centerville Fire Dept. (Centerville).....	\$216,000
Centerville Grange (Centerville)	\$90,000
Centralia Fox Theater (Centralia).....	\$1,000,000
Chehalis River Bridge Ped Safety Lighting Ph2 (Aberdeen)	.....
.....	\$323,000
Cheney Reclaimed Water Project (Cheney)	\$2,000,000
Chief Kitsap Education and Community Resource Center	(Poulsbo)
.....	\$1,000,000
Chief Leschi Schools Facilities & Safety Project	(Puyallup).....
.....	\$250,000
Chief Leschi Schools Safety & Security (Puyallup)	\$250,000
Children's Center Design & Feasibility Study (Vancouver)	.....
.....	\$400,000
Clymer Museum Remodel Ph2 (Ellensburg).....	\$258,000
Colfax Pantry Building (Colfax)	\$247,000
Community Services of Moses Lake Food Bank Facility	(Moses Lake).....
.....	\$2,000,000
Conconully Community Services Complex (Conconully)	.....
.....	\$515,000
Cosmopolis Elem. Energy & Safety (Cosmopolis)	\$206,000

Coulee City Medical Clinic (Coulee City).....	\$150,000	Heritage Senior Housing (Chelan)	\$52,000
Curran House Museum (University Place)	\$43,000	High Dune Trail & Conservation Project (Ocean Shores)	\$140,000
Dakota Homestead (Seattle)	\$155,000	Historic Downtown Chelan Revitalization (Chelan)	\$52,000
Dawson Park Improvements (Tacoma).....	\$258,000	Historic Olympic Stadium Preservation Project (Hoquiam)	\$515,000
Dayton Pump Station (Edmonds)	\$515,000	Historical Museum & Community Center Roof Replacement (Washtucna)	\$24,000
((Dock and Marine Terminal (Seattle).....	\$750,000))	Historical Society Energy Upgrades (Anderson Island)	\$14,000
Downtown Park Gateway (Bellevue)	\$1,030,000	Hoh Tribe Broadband (Grays Harbor).....	\$129,000
Dungeness River Audubon Center Expansion (Sequim)	\$500,000	Horseshoe Lake ADA Upgrades (Woodland).....	\$82,000
East Blaine Infrastructure (Blaine)	\$500,000	Housing Needs Study (Statewide).....	\$200,000
Ejido Community Farm (Whatcom)	\$250,000	Howard Bowen Event Complex (Sumas).....	\$1,712,000
El Centro de la Raza Federal Way Office (Federal Way)	\$1,000,000	Howe Farm Water Service (Port Orchard)	\$52,000
Enumclaw Aquatic Center (Enumclaw).....	\$258,000	ICHS Bellevue Clinic Renovation Project (Bellevue)	\$1,600,000
Enumclaw Expo Center Roof (Enumclaw).....	\$250,000	Illahee Preserve's Lost Continent Acquisition (Bremerton)	\$335,000
Everett TOD Study (Everett)	\$200,000	((Hwaco Boatyard Modernization (Hwaco).....	\$458,000))
Everett YMCA (Everett).....	\$1,000,000	Imagine Children's Museum Expansion and Renovation (Everett)	\$2,000,000
Evergreen High School Health Center (Vancouver)	\$388,000	Index Water System Design (Index)	\$23,000
Evergreen Speedway Capital Improvement (Monroe)	\$150,000	Infrastructure for Economic Development (Port Townsend)	\$675,000
Excelsior Integrated Care Ctr. Sports Court (Spokane)	\$266,000	Innovative Health Care Learning Center Phase 1 (Yakima)	\$500,000
Excelsior Roof & Gym Repair (Spokane)	\$263,000	Interactive Educ. Enh./Friends Issaquah Hatchery (Issaquah)	\$113,000
Excelsior Vocational Education Space (Spokane) ..	\$164,000	Intersection Improvements Juanita Dr. (Kirkland) ..	\$750,000
Expanding on Excellence Capital Campaign (White Salmon)	\$500,000	Japanese American Exclusion Memorial (Bainbridge Island)	\$155,000
Family Education and Support Services (Tumwater)	\$500,000	Japanese Gulch Daylight Project (Mukilteo).....	\$400,000
Felts Field Gateway Improvement Phase 1 (Spokane)	\$100,000	Keller House and Carriage House Paint Restoration (Colville).....	\$45,000
Fennel Creek Trailhead (Bonney Lake).....	\$258,000	Key Kirkland Sidewalk Repairs (Kirkland).....	\$537,000
Filipino Hall Renovation (Wapato).....	\$63,000	Key Peninsula Elder Community (Gig Harbor) ..	\$1,000,000
Fircrest Pool (Fircrest)	\$1,000,000	Ki-Be School Parking Lot Improvements (Benton City)	\$268,000
FISH Food Bank (Ellensburg)	\$772,000	Kitsap Conservation Study (Kitsap).....	\$51,000
Fishtrap Creek Habitat Improvement (Lynden).....	\$258,000	Kittitas Valley Event Center (Ellensburg).....	\$206,000
Flood Plain Stabilization, Habitat Enhancement (Kent)	\$1,000,000	Klickitat Co. Sheriff Office Training Bldg. (Goldendale)	\$335,000
Food Lifeline (Seattle).....	\$1,004,000	KNKX Radio Studio (Tacoma)	\$824,000
Foothills Trail Extension (Wilkeson).....	\$500,000	Lacey Veterans Services Hub Facility Renovation (Lacey)	\$2,000,000
Fort Steilacoom Park Artificial Turf Infields (Lakewood)	\$1,015,000	Lake Chelan Community Center (Lake Chelan)	\$250,000
Fourth Plain Community Commons (Vancouver) ..	\$800,000	Lake Chelan Water Supply (Wenatchee)	\$464,000
Garfield Co. Hospital HVAC (Pomeroy).....	\$250,000	Lake City Community Center Replacement (Seattle)	\$2,000,000
Gateway Center (Grays Harbor)	\$500,000	Lake Stevens Civic Center Phase II (Lake Stevens)	\$1,000,000
Gene Coulon Memorial Beach Park Play Equipment Upgrade (Renton)	\$618,000	Lake Sylvia State Park Pavilion (Montesano).....	\$250,000
George Community Hall Roof (George).....	\$201,000	Lake Wilderness Park Improvements (Maple Valley)	\$200,000
George Davis Creek Fish Passage Project (Sammamish)	\$515,000	Land Use & Infrastructure Subarea Plan (Mill Creek)	\$300,000
Gig Harbor Food Bank (Gig Harbor).....	\$180,000	Larson Gallery Renovation (Yakima)	\$875,000
Goldendale Airport (Goldendale)	\$550,000	Leffler Park (Manson).....	\$265,000
((Grand Connection Downtown Park Gateway (Bellevue)	\$1,000,000))	Legacy in Motion (Puyallup).....	\$1,750,000
Granger Historical Museum Construction (Granger)	\$150,000	Legacy Site Utility Infrastructure (Maple Valley) ..	\$154,000
Granite Falls Police Dept. Renovation Project (Granite Falls)	\$412,000	Lewis Co. CHS Pediatric Clinic (Centralia).....	\$84,000
Grays Harbor and Willapa Bay Sedimentation (Grays Harbor)	\$464,000	Little Badger Mountain Trailhead (Richland)	\$464,000
Grays Harbor YMCA (Grays Harbor)	\$293,000	Little Mountain Road Pipeline and Booster Station (Mount Vernon)	\$1,300,000
Greater Maple Valley Veterans Memorial (Maple Valley)	\$102,000	Long Beach Police Department (Long Beach)	\$705,000
Green Bridges, Healthy Communities; Aurora Bridge I-5 (Seattle).....	\$1,500,000	Lopez Island Swim Center (Lopez Island)	\$1,000,000
Greenwood Cemetery Restoration (Centralia).....	\$402,000	Lummi Hatchery Project (San Juan)	\$1,000,000
Greenwood Cemetery Safety Upgrades (Centralia) ..	\$91,000		
HealthPoint (Tukwila)	\$1,000,000		
HealthPoint Dental Expansion (SeaTac).....	\$1,545,000		

FORTY FIFTH DAY, FEBRUARY 26, 2020

2020 REGULAR SESSION

Mabton City Park (Mabton).....	\$54,000	Pomeroy Booster Pumping Station (Pomeroy).....	\$96,000
Main Street Redevelopment Project - Phase 2 (University Place).....	\$985,000	Port of Everett (Everett)	\$300,000
Mariner Community Campus (Everett)	\$2,250,000	Port of Ilwaco Boatyard Modernization (Ilwaco)...	\$545,000
Mary's Place (Burien)	\$2,050,000	Port of Willapa Harbor Dredging Support Boat (Tokeland)	\$180,000
Marymount Museum/Spana-Park Senior Center (Spanaway)	\$1,000,000	Poulsbo Historical Society (Poulsbo).....	\$400,000
McChord Airfield North Clear Zone (Lakewood) ..	\$500,000	Prairie View Schoolhouse Community Center (Waverly)	\$57,000
McCormick Woods Sewer Lift #2 Improvements (Port Orchard).....	\$800,000	Protect Sewer Plant from Erosion (Ocean Shores) .	\$155,000
Melanie Dressel Park (Tacoma).....	\$500,000	Puyallup Culvert Replacement (Puyallup)	\$515,000
Mercer Is/Aubrey Davis Park Trail Upgrade (Mercer Island)	\$500,000	Puyallup Street Frontage Improvement (Puyallup) \$258,000	
Missing & Murdered Indigenous Women Memorial (Toppenish).....	\$49,000	Puyallup VFW Kitchen Renovation (Puyallup)	\$52,000
Monroe B&G Club ADA Improvements (Monroe)	\$464,000	Quincy Hospital (Quincy)	\$300,000
Mountlake Terrace Main Street (Mountlake Terrace)	\$750,000	Quincy Square on 4th (Bremerton)	\$206,000
Mt. Adams Comm. Forest, Klickitat Canyon Rim Purchase (Glenwood).....	\$400,000	Recreation Park Renovation (Chehalis).....	\$258,000
Mt. Adams School District Athletic Fields (Harrah)	\$242,000	Redmond Pool (Redmond)	\$1,000,000
Mt. Peak Fire Lookout Tower (Enumclaw)	\$381,000	Renton Trail Connector (Renton).....	\$500,000
Mt. Spokane SP Ski Lift (Mead).....	\$750,000	Richmond Highland Recreation Center Repairs (Shoreline)	\$500,000
Mukilteo Promenade (Mukilteo).....	\$500,000	Rise Together White Center Project (King County)	\$1,000,000
Museum Storage Building (Steilacoom).....	\$72,000	Ritzville Business & Entrepreneurship Center (Ritzville)	\$350,000
Naches Fire/Rescue, Yakima Co. #3 (Naches)	\$200,000	Rosalia Sewer Improvements (Rosalia).....	\$500,000
Naselle HS Music/Vocational Wing (Naselle).....	\$258,000	Roslyn Downtown Assoc. (Roslyn)	\$480,000
Naselle Primary Care Clinic (Naselle).....	\$216,000	<u>Roslyn Housing Project (Roslyn).....</u>	<u>\$2,000,000</u>
Naselle SD Flooring (Naselle).....	\$237,000	Royal Park & Rec Ctr. (Royal City).....	\$250,000
NCRA Maint. Bldg., Parking Lot, Event Space (Castle Rock)	\$283,000	Sargent Oyster House Maritime Museum (Allyn)..	\$218,000
NEW Health Programs, Colville Dental Clinic (Colville)	\$1,250,000	Schmid Ballfields Ph3 (Washougal).....	\$584,000
Newman Lake Flood Control Zone District (Newman Lake)	\$415,000	Scott Hill Park & Sports Complex (Woodland)	\$500,000
North Elliott Bay Public Dock; Marine Transit Terminal (Seattle).....	\$1,000,000	Sea Mar Community Health Centers Tumwater Dental (Olympia).....	\$170,000
<u>NorthHaven Affordable Senior Housing Campus (Seattle)</u>	<u>\$1,000,000</u>	Seaport Landing (Aberdeen)	\$349,000
Northshore Senior Center Rehabilitation Project (Bothell)	\$500,000	Seattle Aquarium (Seattle)	\$1,000,000
Northwest African American Museum (Seattle).....	\$500,000	Seattle Goodwill (Seattle)	\$2,000,000
Northwest Native Canoe Center (Seattle).....	\$986,000	<u>Seattle Indian Health Board (Seattle).....</u>	<u>\$1,000,000</u>
NW School of Wooden Boatbuilding (Port Hadlock)	\$464,000	Sewage Lagoon Decommissioning (Concrete).....	\$255,000
Oak Harbor Marina (Oak Harbor)	\$400,000	Shelton Civic Center Parking Lot (Shelton).....	\$283,000
Oakville SD Kitchen Renovation (Oakville)	\$517,000	Shoreline Maintenance Facility - Brightwater Site (Shoreline).....	\$500,000
Oddfellows Ellensburg Bldg. Restoration (Ellensburg)	\$267,000	Skabob House Cultural Center (Shelton)	\$350,000
Opening Doors - Permanent Supportive Housing Facility (Bremerton)	\$750,000	Skagit County Sheriff Radios (Skagit).....	\$1,000,000
Orting City Hall and Police Station (Orting)	\$600,000	Skamania Courthouse Plaza (Stevenson)	\$150,000
Orting Ped Evac Crossing (Orting).....	\$103,000	Snohomish Carnegie Project (Snohomish).....	\$500,000
Othello Regional Water (Othello).....	\$425,000	Snohomish County Sheriff's Office South Precinct (Snohomish)	\$1,000,000
Outdoors for All (Seattle)	\$1,000,000	Snohomish Fire District #26 Communications Project (Gold Bar)	\$27,000
Pacific Co. Fairgrounds Roof (Menlo)	\$210,000	Snoqualmie Early Learning Center (Snoqualmie)..	\$500,000
Packwood FEMA Floodplain Study (Packwood) ...	\$637,000	Snoqualmie Valley Youth Activities Center (North Bend)	\$412,000
Pasco Farmers Market & Park (Pasco)	\$154,000	South Fork Snoqualmie Levee Setback Project (North Bend)	\$250,000
Pendergast Regional Park Phase II (Bremerton).....	\$50,000	SOZO Sports Indoor Arena (Yakima).....	\$600,000
Peninsula Community Health Service Dental Mobile (Bremerton)	\$340,000	Spokane Sportsplex (Spokane).....	\$1,000,000
PenMet - Cushman Trail Enhancements (Gig Harbor)	\$52,000	Springbrook Park Expansion & Clover Creek Restoration (Lakewood)	\$773,000
PenMet Community Rec Center (Gig Harbor)	\$173,000	SR 503 Ped/Bike Ph1&2 (Woodland)	\$235,000
Pet Overpopulation Prevention Vet Clinic Building (West Richland).....	\$300,000	SR 530 "Oso" Slide Memorial (Arlington).....	\$300,000
Pine Garden Apartment Roof (Shelton).....	\$46,000	Stan and Joan Cross Park (Tacoma).....	\$500,000
Pioneer Park Fountain (Walla Walla)	\$9,000	Starfire Sports STEM (Tukwila)	\$250,000
		((Step by Step (Puyallup)	\$500,000))
		Stevens Co. Disaster Response Communications (Colville)	\$500,000
		Sultan Water Treatment Plant Design (Sultan).....	\$246,000

Sumas History Themed Playground and Water Park (Sumas)	\$288,000
Sunnyside Airport Hangar Maintenance Facility (Sunnyside)	(\$500,000)
	<u>\$750,000</u>
Sunnyside Yakima Valley-TEC Welding Program (Yakima)	\$26,000
Sunset Multi-Service & Career Development Center (Renton)	\$1,000,000
SW WA Dance Center (Chehalis)	\$62,000
SW WA Fairgrounds (Chehalis)	\$103,000
SW Washington Regional Agriculture & Innovation Park (Tenino)	\$1,500,000
Swede Hall Renovation (Rochester)	\$196,000
(Tacoma Beacon Center Renovation (Tacoma)	\$1,000,000)
Tacoma Community House (Tacoma)	\$413,000
Tam O'Shanter Park Circulation & Parking Phase 2 (Kelso)	\$1,030,000
Tehaleh Slopes Bike Trail (Bonney Lake)	\$309,000
(Telford Helipad (Creston)	\$52,000)
Tenino City Hall Renovation (Tenino)	\$515,000
Terminal 1 Waterfront Development (Vancouver)	\$4,700,000
The AMP: Aids Memorial Pathway (Seattle)	\$600,000
The Morck Hotel (Aberdeen)	\$500,000
Toledo Sewer & Water (Toledo)	\$469,000
Tonasket Senior Citizen Ctr. (Tonasket)	\$33,000
Town Center to Burke Gilman Trail Connector (Lake Forest Park)	\$500,000
Tukwila Village Food Hall (Tukwila)	\$400,000
Twin Springs Park (Kenmore)	\$155,000
Twisp Civic Building & EOC (Twisp)	\$1,288,000
United Way of Pierce County HVAC (Tacoma)	\$206,000
University Place Arts (University Place)	\$34,000
Vertical Evacuation (Ocean Shores)	\$500,000
Veterans Memorial Museum (Chehalis)	\$123,000
Veterans Supportive Housing (Yakima)	\$2,500,000
VOA Lynnwood Center (Lynnwood)	\$1,000,000
Volunteer Park Amphitheater (Seattle)	\$500,000
West Kelso Affordable Housing & Community Facility Study (Kelso)	\$258,000
WA Poison Control IT (Seattle)	\$151,000
Waitsburg Taggart Road Waterline (Waitsburg)	\$456,000
Walla Walla Dodd Water System Improvement (Walla Walla)	\$1,000,000
Wapato Creek Restoration (Fife)	\$258,000
Warren Ave. Playfield (Bremerton)	\$206,000
Washington Park Boat Launch Storm Damage (Anacortes)	\$200,000
Wesley Homes (Des Moines)	\$2,000,000
Westport Dredge Material Use (Westport)	\$250,000
Whidbey Is. B&G Coupeville (Coupeville)	\$849,000
Whidbey Is. B&G Oak Harbor (Oak Harbor)	\$743,000
(White Center Community HUB (Seattle)	\$500,000)
Wilkeson Water Protection (Wilkeson)	\$36,000
Willapa BH - Long Beach Safety Improvement Project (Long Beach)	\$225,000
William Shore Memorial Pool (Port Angeles)	\$840,000
Wing Luke Museum Homestead Home (Seattle)	\$500,000
Wisdom Ridge Business Park (Ridgefield)	\$2,000,000
Yakima Co. Veterans Dental Facility (Yakima)	\$469,000
Yakima Valley Fair & Rodeo Multi-Use Facility (Grandview)	\$200,000
Yelm Business Incubator Serving Thurston/Pierce Counties (Yelm)	\$200,000
Yelm Water Tower (Yelm)	\$303,000

YMCA Childcare Center Tenant Improvements (Woodinville)	\$1,000,000
---	-------------

(8) \$400,000 of the appropriation in this section is provided solely to the city of Oak Harbor to enhance the fiscal sustainability and revenue generation of the city-owned marina through feasibility work, planning, development, and acquisition.

(9) \$200,000 of the appropriation in this section is provided solely for the department to contract for a study regarding both available and needed affordable housing for farmworkers and Native Americans in Washington state. The study must include data to inform policies related to affordable housing for farmworkers and Native Americans and supplement the housing assessment conducted by the affordable housing advisory board created in chapter 43.185B RCW.

(10) \$200,000 of the appropriation in this section is provided solely for a grant to the Tacoma buffalo soldiers' museum to conduct a feasibility study for the rehabilitation of building 734, the band barracks at Fort Lawton in Discovery park. The study will provide an assessment of general conditions of building 734 and cost estimates for a comprehensive rehabilitation of the building to meet current building codes including, but not limited to heating, ventilation, air conditioning, and mechanical systems, seismic retrofits, and compliance with the Americans with disabilities act.

(11) \$1,300,000 of the appropriation in this section is provided solely for a grant to the Skagit public utility district for the Little Mountain Road pipeline and booster station. \$1,000,000 of these funds are provided solely for the design phase of the project; \$150,000 of these funds are provided solely for land acquisition; and \$150,000 of these funds are provided solely to the district for a public outreach effort to solicit input on the project from residents and rate payers.

(12) \$2,000,000 of the appropriation in this section for Roslyn Housing Project is provided solely for a grant to enable Forterra NW, or a wholly-owned subsidiary of Forterra NW, to begin work on a community development project in the city of Roslyn that includes housing, commercial, retail, or governmental uses. The work must include phased preacquisition due diligence, land acquisition or predevelopment engineering, design, testing, and permitting activities, including work done by both the appropriation recipient and third parties retained by the recipient.

Appropriation:	
State Building Construction Account—State	(\$162,793,000)
	<u>\$162,283,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	<u>\$162,793,000</u>
	<u>\$162,283,000</u>

Sec. 1007. 2019 c 413 s 1043 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Washington Broadband Program (40000117)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5511 (broadband service). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this section shall lapse.))~~

(2) The funding in this section is provided solely for grants, loans, and administrative expenses related to implementation of the broadband program. Of the total funds:

(a) ~~(\$14,440,000)~~ \$10,775,000 is provided solely for loans. Moneys attributable to appropriations of state bond proceeds may not be expended for loans to nongovernmental entities.

(b) ~~(\$7,110,000)~~ \$10,775,000 is provided solely for grants.

FORTY FIFTH DAY, FEBRUARY 26, 2020

2020 REGULAR SESSION

((4)) (3) By January 1, 2021, in the first report to the legislature required under section 6 of Second Substitute Senate Bill No. 5511 (broadband service), the governor's statewide broadband office must include a list of potential regional projects that will accelerate broadband access by providing connections to local jurisdictions, with recommendations for how to fund such larger scale projects. This list must be developed within existing resources.

Appropriation:

Statewide Broadband Account—State	\$21,550,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$80,000,000
TOTAL	\$101,550,000

NEW SECTION. Sec. 1008. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2021 Local and Community Projects (40000130)

The appropriation in this section is subject to the following conditions and limitations:

(1) The department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and may not be advanced under any circumstances.

(5) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The appropriation is provided solely for the following list of projects:

?al Chief Seattle Club (Seattle)	\$200,000
Academy Smokestack Preservation (Vancouver)	\$103,000
African Refugee & Immigrant Housing (Tukwila)	\$200,000
AG Tour Train Ride (Reardan)	\$125,000
ASUW Shell House (WWI Hanger/Canoe House) (Seattle)	\$100,000
Ballinger Park - Hall Creek Restoration (Mountlake Terrace)	\$200,000
Brewing Malting & Distilling System (Tumwater)	\$112,000
Cathlamet Pioneer Center Restoration (Cathlamet)	\$55,000
Centro Cultural Mexicano (Redmond)	\$80,000
City of Fircrest Meter Replacement (Fircrest)	\$200,000

Columbia Dance Down Payment for Building Purchase (Vancouver)	\$100,000
Columbia Heritage Museum Repairs (Ilwaco)	\$150,000
Community Hub Public Safety Initiative (Walla Walla)	\$200,000
Community Pedestrian Safety (SeaTac)	\$100,000
Conconully Fire & Rescue (Riverside)	\$179,000
Creative Districts (Statewide)	\$200,000
EL 79.2 Distribution System Design (Othello)	\$175,000
El Centro de la Raza (Seattle)	\$500,000
Emergency Lockdown Shelter for Outdoor Preschool (Various)	\$24,000
Emergency Shelter Project (Skykomish)	\$20,000
Emergency Structural Repairs 1902 Van Marter Building (Lind)	\$25,000
Everett Recovery Cafe Renovation Project (Everett)	\$200,000
Filipino Community Center (Seattle)	\$1,000,000
George Schmid Ball Field #3 and Lighting Phase 3 (Washougal)	\$200,000
Harlequin State Theater (Olympia)	\$88,000
Home At Last (Tacoma)	\$200,000
If You Could Save Just One (Spokane)	\$100,000
Index Water Line Replacement and Repair (Index)	\$105,000
Institute for Community Leadership (Kent)	\$46,000
Islands' Oil Spill Association (Friday Harbor)	\$232,000
Issaquah School District Early Learning Center (Issaquah)	\$155,000
King County Emergency Training Facility (Fall City)	\$1,000,000
Kingston Coffee Oasis (Kingston)	\$150,000
Kitsap Filipino American Community Center (Bremerton)	\$93,000
Lacey Food Bank (Lacey)	\$193,000
Lake Washington Loop Trail Bicycle Safety Improvements (Kenmore)	\$200,000
Magnuson Park Center for Excellence Building 2 (Seattle)	\$78,000
Morrow Manor (Poulsbo)	\$250,000
Mount Zion Housing (Seattle)	\$250,000
Mukilteo Solar Panels (Mukilteo)	\$40,000
New Arcadia (Auburn)	\$100,000
New Beginnings House (Puyallup)	\$150,000
Non-motorized Bridge at Bothell Landing (Bothell)	\$155,000
Port of Quincy Intermodal Terminal Infrastructure (Quincy)	\$100,000
Port Susan Trail (Stanwood)	\$200,000
Puyallup Food Bank Facility Expansion (Puyallup)	\$217,000
Puyallup VFW Orting Civil War Medal of Honor Monument (Orting)	\$7,000
Ramstead Regional Park (Everson)	\$200,000
Redondo Fishing Pier (Des Moines)	\$275,000
Replacement Hospice House (Richland)	\$200,000
Restroom Renovation (Ilwaco)	\$35,000
Ridgefield Library Building Project (Ridgefield)	\$500,000
Safety Driven Replacement (Lake Stevens)	\$125,000
Salvation Army Community Resource Center (Yakima)	\$200,000
School and Transit Connector Sidewalk (Kirkland)	\$120,000
School District & Comm. Emergency Preparedness Center (Carbonado)	\$200,000
Shelton-Mason County YMCA (Shelton)	\$200,000
Shore Aquatic Center Expansion (Port Angeles)	\$200,000
Sign Reinstallation at Maplewood Elementary (Puyallup)	\$5,000
Sky Valley Emergency Generators (Sultan)	\$75,000

Sno Valley Kiosk (North Bend).....	\$20,000
Snohomish Boys and Girls Club (Snohomish)	\$125,000
Snoqualmie Valley Shelter Service Resource (Snoqualmie)	\$200,000
South Yakima Conservation District Groundwater Mgmt. (Yakima)	\$45,000
Spokane Sportsplex (Spokane)	\$200,000
Spokane Valley Museum (Spokane Valley)	\$70,000
Stevens Elementary Solar Panels (Seattle)	\$120,000
Sullivan Park Waterline Installation (Spokane Valley)	\$130,000
Trail Lighting - Cross Kirkland Corridor (Kirkland) Transitions TLC Transitional Housing Renovations (Spokane).....	\$200,000
Triumph Treatment Child Care & Behavioral Health Exp. (Yakima)	\$180,000
Vashon Food Bank Site Relocation (Vashon).....	\$36,000
Vashon Youth and Family Services (Vashon)	\$86,000
Washington State Horse Park and Covered Arena (Ellensburg)	\$375,000
Wenatchee Valley Museum and Cultural Center (Wenatchee).....	\$200,000
Yakima County Care Campus Conversion Project (Yakima)	\$275,000

(8) It is the intent of the legislature that future applications for state funding for the ASUW Shell House be made through competitive grant programs.

(9) The Creative Districts program funded in this section shall be administered by the Washington state arts commission. The commission is authorized to use up to three percent of the funds to administer the program.

Appropriation:

State Building Construction Account—State.....	\$13,254,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,254,000

NEW SECTION. Sec. 1009. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Seattle Vocational Institute (40000136)

Appropriation:

State Building Construction Account—State.....	\$1,300,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,300,000

NEW SECTION. Sec. 1010. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Enhanced Shelter Capacity Grants (92000939)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for grants to eligible organizations under RCW 43.185.060 to rapidly shelter individuals experiencing homelessness through the construction of enhanced homeless shelter facilities and the conversion of existing homeless shelters to enhanced shelters. The department must allocate funding to eligible organizations based on the proportional share of chronically homeless individuals, based on the most recent homeless census, in the county primarily served by the eligible organization.

(2) Of the amount appropriated in this section, for the proportional share of funding allocated to a county with a population over one million five hundred thousand, an amount proportional to the share of chronically homeless individuals in the largest city in the county must be provided to eligible organizations primarily serving homeless individuals in the

largest city in the county to construct enhanced homeless shelter facilities or convert existing homeless shelters to enhanced shelters.

(3) For purposes of this section, "enhanced shelters" means shelters that offer extended service hours and provide common areas necessary to the intended population.

Appropriation:

State Building Construction Account—State	\$15,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL.....	\$15,000,000

Sec. 1011. 2019 c 413 s 1051 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2017-19 Stormwater Pilot Project (91001099)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1010, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State	\$50,000
Prior Biennia (Expenditures).....	(\$200,000)
.....	<u>\$171,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL.....	<u>\$250,000</u>
.....	<u>\$221,000</u>

Sec. 1012. 2019 c 413 s 1059 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Projects that Strengthen Youth & Families (92000227)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1079, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State	\$300,000
Prior Biennia (Expenditures).....	(\$19,377,000)
.....	<u>\$18,165,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL.....	<u>\$19,677,000</u>
.....	<u>\$18,465,000</u>

Sec. 1013. 2019 c 413 s 1065 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Landlord Mitigation Account (92000722)

The appropriation in this section is subject to the following conditions and limitations:

~~((1) The appropriation in this section is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5600 (residential tenants). If the bill is not enacted by June 30, 2019, the amounts provided in this section shall lapse.~~

~~(2) \$1,000,000) \$1,500,000~~ of the appropriation in this section shall be deposited in the landlord mitigation program account.

Appropriation:

State Taxable Building Construction Account—State	(\$1,000,000)
.....	<u>\$1,500,000</u>
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL.....	<u>\$1,000,000</u>
.....	<u>\$1,500,000</u>

Sec. 1014. 2019 c 413 s 1033 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2019-21 Community Economic Revitalization Board (40000040)

Appropriation:

Public Facility Construction Loan Revolving

FORTY FIFTH DAY, FEBRUARY 26, 2020

2020 REGULAR SESSION

Account—State.....	(\$8,600,000)
.....	\$18,600,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$34,400,000
TOTAL	\$43,000,000
.....	\$53,000,000

Sec. 1015. 2019 c 413 s 1073 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Lake Long-Term Management Planning (30000740)

The ((reappropriation)) appropriations in this section ((is)) are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for an environmental impact statement that includes the following alternatives, at a minimum:

- (a) Managed lake;
- (b) Hybrid lake; and
- (c) Estuary.

(2) A draft environmental impact statement with at least the three options in subsection (1) of this section must be submitted to legislative fiscal committees by June 30, 2021. It is the intent of the legislature that a final environmental impact statement that includes identification of a preferred alternative for Capitol Lake management must be submitted to legislative fiscal committees by June 30, 2022.

(3) The ((reappropriation is)) appropriations are subject to the provisions of section 1034, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State.....	\$3,369,000
<u>Appropriation:</u>	
State Building Construction Account—State.....	\$2,165,000
General Fund—Private/Local	\$284,000
Subtotal Appropriation	\$2,449,000
Prior Biennia (Expenditures)	\$881,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,250,000
.....	\$6,699,000

Sec. 1016. 2019 c 413 s 1078 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Statewide Minor Works - Preservation Projects (30000825)

Reappropriation:

((Enterprise Services Account—State	\$207,000))
State Building Construction Account—State.....	\$3,246,000
State Vehicle Parking Account—State	\$79,000
Subtotal Reappropriation	(\$3,532,000))
.....	\$3,325,000
Prior Biennia (Expenditures)	(\$368,000))
.....	\$261,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,900,000
.....	\$3,586,000

Sec. 1017. 2019 c 413 s 1090 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Newhouse Replacement (92000020)

The reappropriation in this section is subject to the following conditions and limitations: The final predesign for the Irv Newhouse building replacement must be submitted to the office of financial management and legislative fiscal committees by September 30, 2020, and the department must consult with the leadership of the senate or their designee(s).

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for schematic design and construction of the Irv Newhouse building replacement for the senate, located on the west block of opportunity site six. The schematic design must assume:

(a) Necessary program space required to support senate offices and support functions;

(b) An evaluation of an additional floor to be included for legislative support services;

(c) A building with a façade similar to the American neoclassical style of existing legislative buildings on capitol campus;

(d) Member offices of similar size as member offices in the John A. Cherberg building;

(e) Design and construction of a high performance building that meets net-zero-ready standards, with an energy use intensity of no greater than thirty-five;

(f) Building construction that must be procured using a performance-based method, such as design-build, and must include an energy performance guarantee comparing actual performance data with the energy design target;

(g) Temporary office space on Capitol Campus, modular space is an option, to be used during the construction of the building;

(h) At least bi-monthly consultation with the leadership of the senate, or their designee(s), and Irv Newhouse tenants;

(i) A draft schematic draft design for the Irv Newhouse building replacement must be submitted to the office of financial management and legislative fiscal committees by January 31, 2021; and

(j) The final schematic design for the Irv Newhouse building replacement must be submitted to the office of financial management and legislative fiscal committees by June 30, 2021.

(2) It is the intent of the legislature that construction documents for the Irv Newhouse building replacement must be submitted to the office of financial management and legislative fiscal committees by November 1, 2021.

Reappropriation:

State Building Construction Account—State	\$256,000
<u>Appropriation:</u>	
State Building Construction Account—State	\$3,370,000
Prior Biennia (Expenditures).....	\$194,000
Future Biennia (Projected Costs).....	(\$0)
.....	\$30,330,000
TOTAL.....	\$450,000
.....	\$34,150,000

Sec. 1018. 2019 c 413 s 1092 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Insurance Commissioner Office Building Predesign (92000029)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for a predesign study to determine space needs and cost estimates to construct a building on the capitol campus to house the office of the insurance commissioner and the department of children, youth, and families.

(1) In determining the program space required, the predesign must consider:

(a) The necessary program space required to support the office of the insurance commissioner and the department of children, youth, and families, to include detail on current space usage in Thurston county by facility compared to proposed space usage; and

(b) Parking impacts of new office space construction.

(2) The study must consider, at a minimum:

(a) The potential to fund design and construction of the building from sources other than state general obligation bonds;

(b) The financial cost analysis of current facility leases compared to the cost of a financial contract for the new building, to include operating budget cost impacts by fund source by fiscal year; and

(c) The following opportunity sites for the building, detailed in the 2017 state capitol development site study:

- (i) Site 1, the general administration building;
- (ii) Site 12, the professional arts building; and
- (iii) ~~((Site 7, the old IBM building; and~~
~~(iv)))~~ Site 6B, the visitor center;

(3) The building must be a:

(a) High performance building and meet net-zero-ready standards, with an energy use intensity of no greater than thirty-five;

(b) Building construction that must be procured using a performance-based method such as design-build and must include an energy performance guarantee comparing actual performance data with the energy design target; and

(c) Design that includes cross-laminated timber products.

(4) The predesign study must result in:

(a) A preliminary report being submitted to the fiscal committees of the legislature by February 28, 2020; and

(b) A final report being submitted to the fiscal committees of the legislature by June 30, 2020.

Appropriation:

Insurance Commissioners Regulatory Account—State	\$300,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$300,000

NEW SECTION. Sec. 1019. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Chamber Skylights in the Legislative Building (92000010)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for schematic design for the restoration of the legislative skylight openings that are located above the house of representatives and senate chambers, to include work on the bronze ceiling laylight, skylight attic, roof and skylight system, and chamber acoustics. The schematic design must be submitted to the office of financial management and legislative fiscal committees by January 1, 2021.

Appropriation:

State Building Construction Account—State	\$500,000
Prior Biennia (Expenditures)	\$73,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$573,000

Sec. 1020. 2019 c 413 s 1093 (uncodified) is amended to read as follows:

FOR THE MILITARY DEPARTMENT

King County Area Readiness Center (30000592)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely to acquire land in King county for a readiness center and to complete a predesign. If the department has not signed a purchase and sale agreement by June 30, 2021, the amounts provided in this section shall lapse. The department must work to secure federal funding to cover a portion of the costs for design and construction.

Appropriation:

State Building Construction Account—State	(((\$6,600,000))
	<u>\$7,055,000</u>
Prior Biennia (Expenditures)	\$0

Future Biennia (Projected Costs)	(((\$83,900,000))
	<u>\$0</u>
TOTAL	\$90,500,000
	<u>\$7,055,000</u>

PART 2

HUMAN SERVICES

Sec. 2001. 2019 c 413 s 2001 (uncodified) is amended to read as follows:

FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

Omnibus Minor Works (40000003)

Appropriation:

State Building Construction Account—State	(((\$470,000))
	<u>\$938,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$470,000
	<u>\$938,000</u>

Sec. 2002. 2019 c 413 s 2002 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

L&I HQ Elevators (30000018)

Reappropriation:

Accident Account—State	(((\$342,000))
	<u>\$366,000</u>
Medical Aid Account—State	(((\$342,000))
	<u>\$366,000</u>
Subtotal Reappropriation	(((\$684,000))
	<u>\$732,000</u>

Appropriation:

Accident Account—State	\$1,450,000
Medical Aid Account—State	\$1,450,000
Subtotal Appropriation	\$2,900,000
Prior Biennia (Expenditures)	(((\$350,000))
	<u>\$302,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,934,000

Sec. 2003. 2019 c 413 s 2010 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Program Projects: Statewide (30001859)

Reappropriation:

State Building Construction Account—State	(((\$600,000))
	<u>\$612,000</u>
Prior Biennia (Expenditures)	(((\$855,000))
	<u>\$843,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,455,000

NEW SECTION. Sec. 2004. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Rainier School - Multiple Buildings: Roofing Replacement & Repairs (30002752)

Appropriation:

State Building Construction Account—State	\$2,100,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,100,000

NEW SECTION. Sec. 2005. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Fircrest School - Nursing Facilities: Replacement (30002755)

FORTY FIFTH DAY, FEBRUARY 26, 2020

2020 REGULAR SESSION

It is the intent of the legislature to further the recommendations of the December 2019 report from the William D. Ruckleshaus center to redesign the intermediate care facility of the Fircrest Residential Habilitation Center to function as short-term crisis stabilization and intervention. As a result, \$2,000,000 of the appropriation is provided solely to relocate the adult training program to a different location on the fircrest rehabilitation center campus to facilitate construction of a one hundred bed nursing facility. The department of social and health services must review all alternatives for the permanent relocation of the adult training program, including repurposing the existing nursing facility buildings once residents have been relocated to the new nursing facility, and report their findings and recommendations to the governor and the appropriate committees of the legislature no later than December 1, 2020.

Appropriation:

State Building Construction Account—State.....	\$2,000,000
Prior Biennia (Expenditures)	\$300,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,300,000

NEW SECTION. Sec. 2006. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

DOC/DSHS McNeil Island - Main Dock: Float and Dolphin Replacement (30003234)

Appropriation:

State Building Construction Account—State.....	\$3,085,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,085,000

Sec. 2007. 2019 c 413 s 2030 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Fircrest School: Campus Master Plan & Rezone (30003601)

The reappropriation in this section is subject to the following conditions and limitations:

- (1) The reappropriation is subject to the provisions of section 2012, chapter 298, Laws of 2018.
- (2) The department shall work with the city of Shoreline on the future siting of a nursing facility.
- (3) The department may enter into a lease with the city of Shoreline for open space and other uses to generate revenue for the benefit of the persons served by the Dan Thompson memorial trust account consistent with the provisions of RCW 71A.20.170.

Reappropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account—State	\$143,000
Prior Biennia (Expenditures)	\$57,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

Sec. 2008. 2019 c 413 s 2037 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Preservation Projects: Statewide 2019-21 (40000381)

Appropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account—State	\$1,665,000
State Building Construction Account—State.....	(\$11,015,000)
.....	\$11,620,000
Subtotal Appropriation	(\$12,680,000)
.....	\$13,285,000

Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$159,345,000
TOTAL.....	\$172,025,000
.....	\$172,630,000

Sec. 2009. 2019 c 413 s 2038 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Program Projects: Statewide 2019-21 (40000382)

Appropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account—State	\$955,000
State Building Construction Account—State	(\$965,000)
.....	\$1,800,000
Subtotal Appropriation	(\$1,920,000)
.....	\$2,755,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$24,000,000
TOTAL.....	\$25,920,000
.....	\$26,755,000

Sec. 2010. 2019 c 413 s 2039 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

DSHS & DCYF Fire Alarms (91000066)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is provided solely for projects installing fire alarms at the following locations: (a) Fircrest School; (b) Lakeland Village; (c) Western State Hospital; (d) Rainier School; and (e) Echo Glen. The Echo Glen project may include duress alarms. ~~((The projects listed in this section must be designed under one contract, and installed under one contract.))~~ The department must consult with the department of children, youth, and families to prioritize the projects.

(2) When the ~~(bid is)~~ bids are received, the department must report to the appropriate legislative committees the overall ~~(bid)~~ bids for the projects.

(3) The department must report to the appropriate legislative committees any best practices on the process by December 31, 2019.

Appropriation:

State Building Construction Account—State	\$11,819,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL.....	\$11,819,000

Sec. 2011. 2019 c 413 s 2041 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital Elevators (91000068)

Appropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account—State	(\$2,700,000)
.....	\$2,000,000
State Building Construction Account—State	\$700,000
Subtotal Appropriation	\$2,700,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL.....	\$2,700,000

Sec. 2012. 2019 c 413 s 2072 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

Minor Works Facilities Preservation (30000094)

The appropriations in this section are subject to the following conditions and limitations:

A total of \$200,000 of the model toxics control act account—state is provided solely for soil mitigation associated with removal of an underground storage tank and must be held in unallotted status until the following conditions are met:

(1) The department must pursue a grant for this project from the pollution liability insurance agency.

(2) If this project is deemed unqualified for the use of funds through the pollution liability insurance agency, the appropriation from the model toxics control act account—state shall be allotted to the department to complete this project.

Reappropriation:

State Building Construction Account—State.....(((\$570,000)) \$755,000

Appropriation:

State Building Construction Account—State..... \$2,025,000
Model Toxics Control Capital Account—State \$200,000
Subtotal Appropriation \$2,225,000
Prior Biennia (Expenditures)(((\$2,743,000)) \$2,558,000
Future Biennia (Projected Costs) \$11,445,000
TOTAL \$16,783,000
..... \$16,983,000

Sec. 2013. 2019 c 413 s 2075 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

Retsil Building 10 (40000004)

Reappropriation:

State Building Construction Account—State..... \$625,000
Prior Biennia (Expenditures)(((\$125,000)) \$0
Future Biennia (Projected Costs) \$0
TOTAL \$750,000
..... \$625,000

NEW SECTION. Sec. 2014. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

WSH - Life Safety Grant (40000013)

Appropriation:

General Fund—Federal \$325,000
State Building Construction Account—State..... \$175,000
Subtotal Appropriation \$500,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs) \$0
TOTAL \$500,000

NEW SECTION. Sec. 2015. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, & FAMILIES

Green Hill School: Baker Living Unit Renovation & Remodel (40000529)

Appropriation:

State Building Construction Account—State..... \$150,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs) \$8,363,000
TOTAL \$8,513,000

NEW SECTION. Sec. 2016. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, & FAMILIES

Naselle Youth Camp - Eagle Lodge: Medical, Dental & Social Services (30002758)

Appropriation:

State Building Construction Account—State..... \$200,000
Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)..... \$6,519,000
TOTAL..... \$6,719,000

Sec. 2017. 2019 c 413 s 2080 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Green Hill School-Recreation Building: Replacement (30003237)

The appropriation in this section is subject to the following conditions and limitations: This project was formerly administered by the department of social and health services. Due to the transfer of the juvenile rehabilitation program from the department of social and health services to the department of children, youth, and families on July 1, 2019, the administration of this project shall also transfer to the department of children, youth, and families on that date.

Appropriation:

State Building Construction Account—State (((\$800,000)) \$1,800,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)..... (((\$0)) \$31,162,000
TOTAL..... \$800,000
..... \$32,962,000

NEW SECTION. Sec. 2018. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, & FAMILIES

Naselle Youth Camp - Moolock Lodge: Remodel & Renovation (40000430)

Appropriation:

State Building Construction Account—State \$150,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)..... \$7,469,000
TOTAL..... \$7,619,000

NEW SECTION. Sec. 2019. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, & FAMILIES

Echo Glen Cottage 4 Remodel & Renovation (40000526)

Appropriation:

State Building Construction Account—State \$150,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)..... \$8,187,000
TOTAL \$8,337,000

Sec. 2020. 2019 c 413 s 2084 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Implementation of JRA Capacity (91000062)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for ((a pre-design for Echo Glen, a pre-design for Green Hill, and)) a comprehensive strategic capital master plan. ((If Engrossed Second Substitute House Bill No. 1646 is not enacted by June 30, 2019, the appropriation in this section shall lapse.))

Appropriation:

State Building Construction Account—State (((\$750,000)) \$600,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)..... \$0
TOTAL..... \$750,000
..... \$600,000

NEW SECTION. Sec. 2021. A new section is added to 2019 c 413 (uncodified) to read as follows:

FORTY FIFTH DAY, FEBRUARY 26, 2020

2020 REGULAR SESSION

FOR THE DEPARTMENT OF CORRECTIONS

MCC: WSR Perimeter Wall Renovation (30000117)

Appropriation:

State Building Construction Account—State.....	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$10,135,000
TOTAL	\$11,135,000

Sec. 2022. 2019 c 413 s 2091 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

WCCW: Bldg E Roof Replacement (30000810)

Reappropriation:

State Building Construction Account—State.....	\$1,674,000
Prior Biennia (Expenditures)	(\$1,022,000)
.....	<u>\$586,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	<u>\$2,696,000</u>
.....	<u>\$2,260,000</u>

Sec. 2023. 2019 c 413 s 2093 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

WSP: Program and Support Building (30001101)

Reappropriation:

State Building Construction Account—State.....	\$1,500,000
Prior Biennia (Expenditures)	(\$10,085,000)
.....	<u>\$9,997,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	<u>\$11,585,000</u>
.....	<u>\$11,497,000</u>

Sec. 2024. 2019 c 413 s 2094 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Prison Capacity Expansion (30001105)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2059, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State.....	\$400,000
Prior Biennia (Expenditures)	(\$4,400,000)
.....	<u>\$1,957,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	<u>\$4,800,000</u>
.....	<u>\$2,357,000</u>

Sec. 2025. 2019 c 413 s 2096 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

MCC ADA Compliance Retrofit (30001118)

Reappropriation:

State Building Construction Account—State.....	\$750,000
Prior Biennia (Expenditures)	(\$250,000)
.....	<u>\$171,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	<u>\$1,000,000</u>
.....	<u>\$921,000</u>

Sec. 2026. 2019 c 413 s 2098 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

CRCC Security Electronics Network Renovation (30001124)

Reappropriation:

State Building Construction Account—State.....	\$5,900,000
Prior Biennia (Expenditures)	(\$100,000)
.....	<u>\$36,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	<u>\$6,000,000</u>
.....	<u>\$5,936,000</u>

NEW SECTION. Sec. 2027. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

MCC: WSR Clinic Roof Replacement (40000180)

Appropriation:

State Building Construction Account—State	\$1,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$8,439,000
TOTAL.....	\$9,439,000

NEW SECTION. Sec. 2028. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

MCC: SOU and TRU - Domestic Water and HVAC Piping System (40000246)

The appropriation in this section is subject to the following conditions and limitations: The predesign must compare the benefits of addressing each system as part of a single project with the benefits of addressing each system as a separate project in design and construction phases.

Appropriation:

State Building Construction Account—State	\$400,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$19,731,000
TOTAL.....	\$20,131,000

PART 3

NATURAL RESOURCES

Sec. 3001. 2019 c 413 s 3008 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grant Program (30000039)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3006, chapter 36, Laws of 2010 1st sp. sess.

Appropriation:

Model Toxics Control Capital Account—State.....	(\$3,813,000)
.....	<u>\$3,531,000</u>
Prior Biennia (Expenditures).....	(\$71,296,000)
.....	<u>\$71,578,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL.....	\$75,109,000

Sec. 3002. 2019 c 413 s 3009 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Clean Up Toxics Sites - Puget Sound (30000144)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3021, chapter 48, Laws of 2011 1st sp. sess. and section 3002, chapter 35, Laws of 2016 sp. sess.

Appropriation:

Model Toxics Control Capital Account—State.....	(\$324,000)
.....	<u>\$318,000</u>
Prior Biennia (Expenditures).....	(\$38,710,000)
.....	<u>\$38,716,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL.....	\$39,034,000

Sec. 3003. 2019 c 413 s 3011 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grant Program (30000216)

Appropriation:

Model Toxics Control Capital Account—State.....	(\$19,152,000)
.....	<u>\$18,603,000</u>
Prior Biennia (Expenditures).....	(\$43,712,000)
.....	<u>\$44,261,000</u>
Future Biennia (Projected Costs).....	\$0

TOTAL.....\$62,864,000

Sec. 3004. 2019 c 413 s 3016 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY
 Centennial Clean Water Program (30000326)
 The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3066, chapter 19, Laws of 2013 2nd sp. sess.

Appropriation:
 Model Toxics Control Capital Account—State(~~(\$3,526,000)~~)
\$2,284,000
 Prior Biennia (Expenditures)(~~(\$46,474,000)~~)
\$47,716,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$50,000,000

Sec. 3005. 2019 c 413 s 3022 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY
 Clean Up Toxics Sites - Puget Sound (30000337)
 The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3007, chapter 35, Laws of 2016 sp. sess.

Appropriation:
 Model Toxics Control Capital Account—State(~~(\$1,940,000)~~)
\$1,843,000
 Prior Biennia (Expenditures)(~~(\$23,415,000)~~)
\$23,212,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$25,055,000

Sec. 3006. 2019 c 413 s 3023 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY
 Eastern Washington Clean Sites Initiative (30000351)
 The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3008, chapter 35, Laws of 2016 sp. sess.

Appropriation:
 Model Toxics Control Capital Account—State(~~(\$169,000)~~)
\$168,000
 Prior Biennia (Expenditures)(~~(\$7,431,000)~~)
\$7,432,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$7,600,000

Sec. 3007. 2019 c 413 s 3026 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY
 Remedial Action Grants (30000374)
 Appropriation:
 Model Toxics Control Capital Account—State(~~(\$10,710,000)~~)
\$10,489,000
 Prior Biennia (Expenditures)(~~(\$51,827,000)~~)
\$52,048,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$62,537,000

Sec. 3008. 2019 c 413 s 3028 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY
 Centennial Clean Water Program (30000427)
 The reappropriations and appropriations in this section are subject to the following conditions and limitations: The reappropriations and appropriations are subject to the provisions of section 3009, chapter 35, Laws of 2016 sp. sess.

Reappropriation:
 State Building Construction Account—State.....\$1,171,000

Appropriation:
 Model Toxics Control Capital Account—State(~~(\$3,436,000)~~)

.....\$2,647,000
 Prior Biennia (Expenditures).....(~~(\$17,893,000)~~)
\$18,682,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$22,500,000

Sec. 3009. 2019 c 413 s 3030 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY
 Eastern Washington Clean Sites Initiative (30000432)
 Appropriation:
 Model Toxics Control Capital Account—State(~~(\$8,908,000)~~)
\$8,650,000
 Prior Biennia (Expenditures).....(~~(\$992,000)~~)
\$1,250,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$9,900,000

Sec. 3010. 2019 c 413 s 3031 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY
 Remedial Action Grants (30000458)
 The reappropriations and appropriations in this section are subject to the following conditions and limitations: The reappropriations and appropriations are subject to the provisions of section 3011, chapter 35, Laws of 2016 sp. sess.

Reappropriation:
 State Building Construction Account—State \$16,967,000

Appropriation:
 Model Toxics Control Capital Account—State(~~(\$15,786,000)~~)
\$12,927,000
 Prior Biennia (Expenditures).....(~~(\$19,994,000)~~)
\$22,853,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$52,747,000

Sec. 3011. 2019 c 413 s 3032 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY
 Leaking Tank Model Remedies (30000490)
 Appropriation:
 Model Toxics Control Capital Account—State(~~(\$672,000)~~)
\$519,000
 Prior Biennia (Expenditures).....(~~(\$1,328,000)~~)
\$1,481,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$2,000,000

Sec. 3012. 2019 c 413 s 3034 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY
 Stormwater Financial Assistance Program (30000535)
 The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3012, chapter 35, Laws of 2016 sp. sess.

Appropriation:
 Model Toxics Control Stormwater Account—State
(~~(\$27,816,000)~~)
\$26,950,000
 Prior Biennia (Expenditures).....(~~(\$3,384,000)~~)
\$4,250,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$31,200,000

Sec. 3013. 2019 c 413 s 3036 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY
 Floodplains by Design (30000537)
 Reappropriation:
 State Building Construction Account—State(~~(\$19,149,000)~~)
\$19,369,000

FORTY FIFTH DAY, FEBRUARY 26, 2020

2020 REGULAR SESSION

Prior Biennia (Expenditures)	(\$16,411,000)
.....	<u>\$16,191,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$35,560,000

Sec. 3014. 2019 c 413 s 3038 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Cleanup Toxics Sites - Puget Sound (30000542)
The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3013, chapter 35, Laws of 2016 sp. sess.

Appropriation:	
Model Toxics Control Capital Account—State(\$7,917,000)	
.....	<u>\$7,885,000</u>
Prior Biennia (Expenditures)	(\$6,464,000)
.....	<u>\$6,496,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$14,381,000

Sec. 3015. 2019 c 413 s 3052 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

2017-19 Remedial Action Grants (30000707)	
Appropriation:	
Model Toxics Control Capital Account—State(\$5,877,000)	
.....	<u>\$5,872,000</u>
Prior Biennia (Expenditures)	(\$0)
.....	<u>\$5,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,877,000

Sec. 3016. 2019 c 413 s 3056 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Columbia River Water Supply Development Program (30000712)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3006, chapter 298, Laws of 2018.

Reappropriation:	
Columbia River Basin Water Supply Development Account—State.....(\$12,203,000)	
.....	<u>\$12,250,000</u>
Columbia River Basin Water Supply Revenue Recovery Account—State.....	\$2,000,000
State Building Construction Account—State.....	\$19,541,000
Subtotal Reappropriation	(\$33,744,000)
.....	<u>\$33,791,000</u>
Prior Biennia (Expenditures)	(\$56,000)
.....	<u>\$9,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$33,800,000

Sec. 3017. 2019 c 413 s 3062 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

2017-19 Clean Up Toxic Sites – Puget Sound (30000749)	
Appropriation:	
Model Toxics Control Capital Account—State(\$2,099,000)	
.....	<u>\$1,310,000</u>
Prior Biennia (Expenditures)	(\$83,000)
.....	<u>\$872,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,182,000

Sec. 3018. 2019 c 413 s 3064 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

2017-19 Stormwater Financial Assistance Program (30000796)

The reappropriations and appropriations in this section are subject to the following conditions and limitations: The reappropriation and appropriation are subject to the provisions of section 3005, chapter 298, Laws of 2018.

Reappropriation:	
State Building Construction Account—State	\$25,000,000
Appropriation:	
Model Toxics Control Stormwater Account—State	(\$11,400,000)
.....	<u>\$11,334,000</u>
Prior Biennia (Expenditures)	(\$0)
.....	<u>\$66,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$36,400,000

Sec. 3019. 2019 c 413 s 3081 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

2019-21 Stormwater Financial Assistance Program (40000144)

The appropriation in this section is subject to the following conditions and limitations:

(1) Appropriations in this section are provided solely for competitive grants to local governments implementing projects that reduce the impacts of stormwater on Washington state's waters.

(2) \$29,750,000 of the appropriation is provided solely for grants directed to areas of Puget Sound that will benefit southern resident killer whales.

Appropriation:	
Model Toxics Control Stormwater Account—State	(\$44,000,000)
.....	<u>\$47,400,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$160,000,000
TOTAL	\$204,000,000
.....	<u>\$207,400,000</u>

NEW SECTION. Sec. 3020. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

2020 Eastern Washington Clean Sites Initiative (40000286)

Appropriation:	
Model Toxics Control Capital Account—State...	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 3021. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

2020 Remedial Action Grants (40000288)

Appropriation:	
Model Toxics Control Capital Account—State.	\$23,700,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$23,700,000

Sec. 3022. 2019 c 413 s 3096 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Habitat Mitigation (91000007)

Reappropriation:	
State Building Construction Account—State	\$47,000
Prior Biennia (Expenditures)	(\$2,802,000)
.....	<u>\$2,398,000</u>
Future Biennia (Projected Costs)	\$0

TOTAL.....\$2,849,000
\$2,445,000

Sec. 3023. 2019 c 413 s 3097 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Clean Up Toxics Sites - Puget Sound (91000032)

Appropriation:

Model Toxics Control Capital Account—State ..((~~\$304,000~~))
\$179,000
 Prior Biennia (Expenditures).....((~~\$8,966,000~~))
\$9,091,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$9,270,000

Sec. 3024. 2019 c 413 s 3069 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Reduce Air Pollution from Transit/Sch. Buses/State-Owned Vehicles (40000109)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3010, chapter 298, Laws of 2018, except funds directed to the Northwest seaport alliance for a clean truck fund, in subsection (6), may also be used for Northwest seaport alliance to provide shore power electrification to vessels in Tacoma.

Reappropriation:

Air Pollution Control Account—State.....\$26,483,000
 Prior Biennia (Expenditures).....\$1,917,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$28,400,000

NEW SECTION. Sec. 3025. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE POLLUTION LIABILITY INSURANCE PROGRAM

Heating Oil Capital Financing Assistance Program (30000704)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for implementation of Substitute House Bill No. 2424 or Substitute Senate Bill No. 6256 (heating oil insurance program). If neither of these bills is enacted by June 30, 2020, the amount provided in this section shall lapse.

Appropriation:

PLIA Underground Storage Tank Revolving Account—State
\$4,000,000
 Prior Biennia (Expenditures).....\$0
 Future Biennia (Projected Costs).....\$24,000,000
 TOTAL.....\$28,000,000

Sec. 3026. 2019 c 413 s 3115 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Flagler - WW1 Historic Facilities Preservation (30000100)

Reappropriation:

State Building Construction Account—State.....\$1,091,000
 Prior Biennia (Expenditures).....((~~\$2,295,000~~))
\$1,582,000
 Future Biennia (Projected Costs).....\$1,963,000
 TOTAL.....\$5,349,000
\$4,636,000

Sec. 3027. 2019 c 413 s 3119 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Marine Facilities - Various Locations Moorage Float Replacement (30000496)

Reappropriation:

State Building Construction Account—State.....\$111,000
 Prior Biennia (Expenditures).....((~~\$458,000~~))
\$349,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$569,000
\$460,000

Sec. 3028. 2019 c 413 s 3120 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Willapa Hills Trail Develop Safe Multi-Use Trail Crossing at SR 6 (30000519)

Reappropriation:

State Building Construction Account—State.....((~~\$25,000~~))
\$79,000

Appropriation:

State Building Construction Account—State.....\$4,961,000
 Prior Biennia (Expenditures).....((~~\$397,000~~))
\$343,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$5,383,000

Sec. 3029. 2019 c 413 s 3123 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Goldendale Observatory - Expansion (30000709)

Reappropriation:

State Building Construction Account—State.....((~~\$551,000~~))
\$583,000
 Prior Biennia (Expenditures).....((~~\$4,793,000~~))
\$4,761,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$5,344,000

Sec. 3030. 2019 c 413 s 3129 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Worden - Replace Failing Sewer Lines (30000860)

Reappropriation:

State Building Construction Account—State.....((~~\$1,493,000~~))
\$1,668,000
 Prior Biennia (Expenditures).....((~~\$1,061,000~~))
\$886,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$2,554,000

Sec. 3031. 2019 c 413 s 3131 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Lake Sammamish Dock Grant Match (30000872)

Reappropriation:

State Building Construction Account—State.....\$959,000
 Prior Biennia (Expenditures).....((~~\$141,000~~))
\$121,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$1,100,000
\$1,080,000

Sec. 3032. 2019 c 413 s 3132 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Birch Bay - Replace Failing Bridge (30000876)

Reappropriation:

State Building Construction Account—State.....\$100,000
 Prior Biennia (Expenditures).....((~~\$237,000~~))

FORTY FIFTH DAY, FEBRUARY 26, 2020

2020 REGULAR SESSION

.....	<u>\$148,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL.....	<u>\$337,000</u>
.....	<u>\$248,000</u>

Sec. 3033. 2019 c 413 s 3135 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Mount Spokane - Maintenance Facility Relocation from Harms Way (30000959)

Reappropriation:	
State Building Construction Account—State.....	\$1,921,000
Prior Biennia (Expenditures).....	(\$587,000)
.....	<u>\$520,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL.....	<u>\$2,508,000</u>
.....	<u>\$2,441,000</u>

Sec. 3034. 2019 c 413 s 3137 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Statewide - Depression Era Structures Restoration Assessment (30000966)

Reappropriation:	
State Building Construction Account—State.....	\$186,000
Prior Biennia (Expenditures).....	(\$1,086,000)
.....	<u>\$1,050,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL.....	<u>\$1,272,000</u>
.....	<u>\$1,236,000</u>

Sec. 3035. 2019 c 413 s 3141 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Minor Works - Health and Safety (30000977)

Reappropriation:	
State Building Construction Account—State.....	(\$402,000)
.....	<u>\$537,000</u>
Prior Biennia (Expenditures).....	(\$647,000)
.....	<u>\$512,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL.....	<u>\$1,049,000</u>

Sec. 3036. 2019 c 413 s 3143 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Minor Works—Program (30000979)

Reappropriation:	
State Building Construction Account—State.....	\$646,000
Prior Biennia (Expenditures).....	(\$845,000)
.....	<u>\$620,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL.....	<u>\$1,491,000</u>
.....	<u>\$1,266,000</u>

Sec. 3037. 2019 c 413 s 3144 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Moran Summit Learning Center - Interpretive Facility (30000980)

Reappropriation:	
State Building Construction Account—State.....	(\$903,000)
.....	<u>\$955,000</u>
Prior Biennia (Expenditures).....	(\$112,000)
.....	<u>\$60,000</u>

Future Biennia (Projected Costs).....	\$0
TOTAL.....	<u>\$1,015,000</u>

Sec. 3038. 2019 c 413 s 3145 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Penrose Point Sewer Improvements (30000981)

Reappropriation:	
State Building Construction Account—State.....	(\$320,000)
.....	<u>\$367,000</u>

<u>Appropriation:</u>	
<u>State Building Construction Account—State.....</u>	<u>\$289,000</u>
Prior Biennia (Expenditures).....	(\$130,000)
.....	<u>\$83,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL.....	<u>\$450,000</u>
.....	<u>\$739,000</u>

Sec. 3039. 2019 c 413 s 3149 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Statewide Septic System Renovation (30001017)

Reappropriation:	
State Building Construction Account—State.....	\$65,000
Prior Biennia (Expenditures).....	(\$185,000)
.....	<u>\$177,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL.....	<u>\$250,000</u>
.....	<u>\$242,000</u>

Sec. 3040. 2019 c 413 s 3150 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Statewide Electrical System Renovation (30001018)

Reappropriation:	
State Building Construction Account—State.....	\$462,000
Prior Biennia (Expenditures).....	(\$288,000)
.....	<u>\$267,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL.....	<u>\$750,000</u>
.....	<u>\$729,000</u>

Sec. 3041. 2019 c 413 s 3151 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Statewide - ADA Compliance (30000985)

Reappropriation:	
State Building Construction Account—State.....	(\$467,000)
.....	<u>\$784,000</u>
Prior Biennia (Expenditures).....	(\$533,000)
.....	<u>\$216,000</u>
Future Biennia (Projected Costs).....	\$0
TOTAL.....	<u>\$1,000,000</u>
.....	<u>\$729,000</u>

Sec. 3042. 2019 c 413 s 3152 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Statewide New Park (30001019)

Reappropriation:	
State Building Construction Account—State.....	(\$267,000)
.....	<u>\$313,000</u>
Prior Biennia (Expenditures).....	(\$46,000)
.....	<u>\$0</u>
Future Biennia (Projected Costs).....	\$20,006,000
TOTAL.....	<u>\$20,319,000</u>

Sec. 3043. 2019 c 413 s 3153 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Worden Replace Failing Water Lines (30001022)
 Reappropriation:
 State Building Construction Account—State.....~~(\$214,000)~~
\$339,000
 Prior Biennia (Expenditures)~~(\$163,000)~~
\$38,000
 Future Biennia (Projected Costs)\$2,013,000
 TOTAL\$2,390,000

Sec. 3044. 2019 c 413 s 3156 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Statewide Fish Barrier Removal (40000010)
 Reappropriation:
 State Building Construction Account—State.....~~(\$53,000)~~
\$194,000
 Appropriation:
 State Building Construction Account—State.....\$1,605,000
 Prior Biennia (Expenditures)~~(\$247,000)~~
\$106,000
 Future Biennia (Projected Costs)\$0
 TOTAL\$1,905,000

NEW SECTION. **Sec. 3045.** A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

Palouse to Cascades Trail: Crab Creek Trestle Replacement (40000162)

Appropriation:
 State Building Construction Account—State.....\$250,000
 Prior Biennia (Expenditures)\$0
 Future Biennia (Projected Costs)\$0
 TOTAL\$250,000

Sec. 3046. 2019 c 413 s 3204 (uncodified) is amended to read as follows:

FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 - Youth Athletic Facilities (40000007)

The appropriation in this section is subject to the following conditions and limitations: Revisions to the recreation and conservation funding board approved list of projects for the 2019-2021 biennium, including the addition of projects and the transfer of funds between projects, are allowed but must be submitted to the office of financial management and the appropriate fiscal committees of the legislature for review and comment, and must include an explanation of variances from the proposed projects. Any project revisions must be approved by the office of financial management before funds may be expended from this appropriation.

Appropriation:
 State Building Construction Account—State.....\$12,000,000
 Prior Biennia (Expenditures)\$0
 Future Biennia (Projected Costs)\$20,000,000
 TOTAL\$32,000,000

Sec. 3047. 2019 c 413 s 3223 (uncodified) is amended to read as follows:

FOR THE STATE CONSERVATION COMMISSION

2019-21 Match for Federal RCPP (40000006)

The appropriation in this section is subject to the following conditions and limitations:

(1) The state building construction account—state appropriation is provided solely for a state match to the United

States department of agriculture regional conservation partnership.

(2) The commission must, to the greatest extent possible, leverage other state and local projects in funding the match and development of the regional conservation partnership program grant applications.

Appropriation:
 State Building Construction Account—State .~~(\$4,000,000)~~
\$6,249,000
 Prior Biennia (Expenditures)\$0
 Future Biennia (Projected Costs).....\$7,800,000
 TOTAL.....\$11,800,000
\$14,049,000

Sec. 3048. 2019 c 413 s 3232 (uncodified) is amended to read as follows:

FOR THE STATE CONSERVATION COMMISSION

Improve Shellfish Growing Areas 2017-19 (92000012)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3052, chapter 298, Laws of 2018.

Reappropriation:
 State Building Construction Account—State\$800,000
 Prior Biennia (Expenditures)~~(\$3,200,000)~~
\$3,199,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$4,000,000
\$3,999,000

NEW SECTION. **Sec. 3049.** A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE STATE CONSERVATION COMMISSION

CREP PIP Loan Program 2017-19 (92000014)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6019, chapter 413, Laws of 2019.

Reappropriation:
 Conservation Assistance Revolving Account—State\$350,000
 Prior Biennia (Expenditures).....\$50,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$400,000

Sec. 3050. 2019 c 413 s 3236 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitigation Projects and Dedicated Funding (20082048)

~~((The appropriations in this section are subject to the following conditions and limitations: \$3,900,000 of the appropriation is provided solely for repair of the Wiley Slough dike.))~~

Reappropriation:
 General Fund—Federal\$10,000,000
 General Fund—Private/Local.....\$863,000
 Special Wildlife Account—Federal.....\$1,000,000
 Special Wildlife Account—Private/Local\$1,680,000
 State Wildlife Account—State\$400,000
 Subtotal Reappropriation.....\$13,943,000

Appropriation:
 General Fund—Federal\$10,000,000
 General Fund—Private/Local.....\$1,000,000
 Special Wildlife Account—Federal.....\$1,000,000
 Special Wildlife Account—Private/Local\$1,000,000
 State Wildlife Account—State\$500,000
 Subtotal Appropriation.....\$13,500,000
 Prior Biennia (Expenditures).....\$72,421,000
 Future Biennia (Projected Costs).....\$58,500,000
 TOTAL.....\$158,364,000

Sec. 3051. 2019 c 413 s 3242 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

FORTY FIFTH DAY, FEBRUARY 26, 2020

2020 REGULAR SESSION

Soos Creek Hatchery Renovation (30000661)

The appropriation in this section is subject to the following conditions and limitations: \$1,800,000 of the new appropriation is provided solely for the installation of a water filtration system.

Table with 2 columns: Description and Amount. Includes Reappropriation: State Building Construction Account—State.....\$5,555,000 and Appropriation: State Building Construction Account—State..((1,710,000))

Sec. 3052. 2019 c 413 s 3247 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Eells Springs Production Shift (30000723)

Table with 2 columns: Description and Amount. Includes Reappropriation: State Building Construction Account—State..((1,400,000)) and Appropriation: State Building Construction Account—State.....\$154,000

Sec. 3053. 2019 c 413 s 3252 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Snow Creek Reconstruct Facility (30000826)

The appropriation in this section is subject to the following conditions and limitations: In constructing the project, the department must consider the firelight toilet technology.

Table with 2 columns: Description and Amount. Includes Reappropriation: State Building Construction Account—State.....\$25,000 and Appropriation: State Building Construction Account—State.....\$143,000

Sec. 3054. 2019 c 413 s 3253 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Forks Creek Hatchery - Renovate Intake and Diversion (30000827)

Table with 2 columns: Description and Amount. Includes Reappropriation: State Building Construction Account—State..((2,423,000)) and Appropriation: State Building Construction Account—State.....\$3,086,000

Sec. 3055. 2019 c 413 s 3254 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Hurd Creek - Relocate Facilities out of Floodplain (30000830)

Table with 2 columns: Description and Amount. Includes Reappropriation: State Building Construction Account—State.....\$600,000 and Appropriation: State Building Construction Account—State.....\$177,000

Table with 2 columns: Description and Amount. Includes TOTAL.....\$800,000 and TOTAL.....\$777,000

Sec. 3056. 2019 c 413 s 3255 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Dungeness Hatchery - Replace Main Intake (30000844)

Table with 2 columns: Description and Amount. Includes Reappropriation: State Building Construction Account—State \$300,000 and Appropriation: State Building Construction Account—State \$4,830,000

NEW SECTION. Sec. 3057. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Wiley Slough Dike Raising (40000004)

Table with 2 columns: Description and Amount. Includes Appropriation: State Building Construction Account—State \$972,000 and Prior Biennia (Expenditures)..... \$0

Sec. 3058. 2019 c 413 s 3274 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Forestry Riparian Easement Program (FREP) (30000279)

Table with 2 columns: Description and Amount. Includes Reappropriation: State Building Construction Account—State ((400,000)) and Appropriation: State Building Construction Account—State \$520,000

Sec. 3059. 2019 c 413 s 3275 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Teanaway Working Forest (30000289)

Table with 2 columns: Description and Amount. Includes Reappropriation: State Building Construction Account—State ((600,000)) and Appropriation: State Building Construction Account—State \$675,000

Sec. 3060. 2019 c 413 s 3294 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Forest Riparian Easement Program (FREP) (40000052)

Table with 2 columns: Description and Amount. Includes Appropriation: State Building Construction Account—State . ((2,500,000)) and Prior Biennia (Expenditures)..... \$0

NEW SECTION. Sec. 3061. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Grouse Ridge Fish Barriers & RMAP Compliance (40000056)

Table with 2 columns: Description and Amount. Includes Appropriation: State Building Construction Account—State \$3,245,000 and Prior Biennia (Expenditures)..... \$0

Future Biennia (Projected Costs)	\$1,694,000
TOTAL	\$4,939,000

NEW SECTION. Sec. 3062. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES
Emergent Environmental Mitigation Projects (40000058)
Appropriation:

Forest Development Account—State.....	\$92,000
Resource Management Cost Account—State	\$93,000
Model Toxics Control Capital Account—State	\$135,000
Subtotal Appropriation	\$320,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$320,000

NEW SECTION. Sec. 3063. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES
Whitmarsh (March Point) Landfill Site Cleanup (40000069)
Appropriation:

Model Toxics Control Capital Account—State ...	\$3,063,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,063,000

NEW SECTION. Sec. 3064. The following acts or parts of acts are each repealed:

- (1) 2019 c 413 s 3099 (uncodified); and
- (2) 2019 c 413 s 3296 (uncodified).

**PART 4
TRANSPORTATION**

NEW SECTION. Sec. 4001. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION
Telford Helipad (40000001)
Appropriation:

State Building Construction Account—State.....	\$75,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$75,000

**PART 5
EDUCATION**

Sec. 5001. 2019 c 413 s 5012 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2019-21 School Construction Assistance Program - Maintenance Level (40000013)

The appropriations in this section are subject to the following conditions and limitations: \$1,005,000 of the common school construction account—state appropriation is provided solely for study and survey grants and for completing inventory and building condition assessments for public school districts every six years.

Appropriation:

State Building Construction Account—State...	\$879,021,000
Common School Construction Account—State	(\$160,032,000)
.....	<u>\$211,883,000</u>
Common School Construction Account—Federal	(\$3,000,000)
.....	<u>\$3,840,000</u>
Subtotal Appropriation	(\$1,042,053,000)
.....	<u>\$1,094,744,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$4,870,192,000
TOTAL	<u>\$5,912,245,000</u>
.....	<u>\$5,964,936,000</u>

NEW SECTION. Sec. 5002. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2019-21 School Seismic Safety Retrofit Program (92000148)
The appropriation in this section is subject to the following conditions and limitations:

(1) \$13,200,000 of the appropriation is provided solely for school seismic safety retrofit grants to school districts for seismic retrofits and seismic safety related improvements of school buildings used for the instruction of students in kindergarten through twelfth grade.

(a) The superintendent of public instruction must appoint an advisory committee, which must include at least one representative from the department of natural resources, whose members have experience in seismic engineering and construction to assist the office in designing the grant application process, developing the prioritization criteria, and evaluating the grant applications. Advisory committee members may not be involved in developing projects or applying for grants funded in this section.

(b) In addition to prioritization criteria developed by the office of the superintendent of public instruction and the advisory committee pursuant to (a) of this subsection, the superintendent of public instruction and the advisory committee must also prioritize projects that: (i) Are located in areas of high seismic risk; (ii) have ten or more years of remaining useful life; and (iii) meet the criteria to participate in the school construction assistance program except in cases where low property values prevent a school district from generating sufficient local revenue.

(c) The superintendent of public instruction must submit a list of school seismic safety retrofit projects, as prioritized by the advisory committee, to the legislature by January 15, 2021. The list must include: (i) A description of the project; (ii) the proposed state funding level, not to exceed \$4,000,000; (iii) estimated total project costs; and (iv) local funding resources. The appropriated funds in this subsection may be awarded only after the legislature approves the list.

(2) For projects in this section that are also eligible for funding through the school construction assistance program, the office of the superintendent of public instruction must expedite and streamline the administrative requirements, timelines, and matching requirements for the funds provided in this section to be used promptly. Funds provided in this section plus state funds provided in the school construction assistance program grant may not exceed total project costs minus available local resources.

(3) \$1,800,000 of the appropriation is provided solely for grants to school districts to perform rapid visual screening assessments of school buildings constructed prior to January 1, 1997, and used for the instruction of students in kindergarten through twelfth grade. The office of the superintendent of public instruction must enter the collected assessment data into its information and condition of schools data system.

(4) During the 2019-2021 fiscal biennium, if upon review of applications the superintendent of public instruction determines there are not adequate suitable projects under subsection (3) of this section, the superintendent of public instruction may use any remaining funds from subsection (3) of this section for seismic safety retrofit grants in subsection (1) of this section.

(5) The superintendent of public instruction must, by December 31, 2020, submit recommendations to the appropriate committees of the legislature, in the form of draft legislation, that specifies the eligibility criteria for awards.

Appropriation:

State Building Construction Account—State	\$15,000,000
Prior Biennia (Expenditures)	\$0

Future Biennia (Projected Costs).....	\$120,000,000
TOTAL.....	\$135,000,000

Sec. 5003. 2019 c 413 s 5028 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2019-21 Small District Modernization Grants (92000139)

The appropriation in this section is subject to the following conditions and limitations:

(1) The legislature finds that small school districts with total enrollments of one thousand students or less may have school facilities with significant building systems deficiencies and low property values, and that raising enough funds to participate in the school construction assistance program to replace or modernize their school facilities would present an extraordinary tax burden on property owners or would exceed allowable debt.

(2) \$200,000 of the appropriation is provided solely for the office of the superintendent of public instruction to administer the grant program and provide technical assistance to small school districts seeking grants funded in this section.

(3) ~~(\$1,000,000)~~ \$957,000 of the appropriation is provided solely for planning grants for small school districts interested in seeking modernization grants in subsection (4) of this section. The superintendent may prioritize planning grants for school districts with the most serious building deficiencies and the most limited financial capacity. Planning grants may not exceed \$50,000 per district.

(4) The remaining portion of the appropriation is provided solely for modernization grants for small school districts with significant building system deficiencies and limited financial capacity with the following conditions:

(a) The superintendent of public instruction must appoint an advisory committee whose members have experience in financing and managing school facilities in small school districts to assist the office in designing the grant application process, developing the prioritization criteria, and evaluating the grant applications. Advisory committee members may not be involved in developing projects or applying for grants funded in this section.

(b) In addition to prioritization criteria developed by the office of the superintendent of public instruction and the advisory committee pursuant to (4)(a) of this section, the office and the advisory committee must also prioritize projects that: (i) Improve student health, safety, and academic performance for the largest number of students; (ii) provide the most available school district resources, including in-kind resources; and (iii) make use of mass-timber products, including cross-laminated timber, or aggregates and concretes materials.

(c) The superintendent must submit a list of small school district modernization projects, as prioritized by the advisory committee, to the legislature by January 15, 2020. The list must include: (i) A description of the project; (ii) the proposed state funding level, not to exceed \$5,000,000; (iii) estimated total project costs; and (iv) local funding resources. The appropriated funds in this subsection may be awarded ~~((only after the legislature approves the list))~~ to projects approved by the legislature, as identified in LEAP capital document No. 2020-51, developed February 12, 2020.

(5) For projects in this section that are also eligible for funding through the school construction assistance program, the office of the superintendent of public instruction must expedite and streamline the administrative requirements, timelines, and matching requirements for the funds provided in this section to be used promptly. Funds provided in this section plus state funds provided in the school construction assistance program grant must not exceed total project costs minus available local resources.

Appropriation:	
State Building Construction Account—State((\$20,000,000))	
.....	<u>\$23,340,000</u>
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL.....	<u>\$20,000,000</u>
.....	<u>\$23,340,000</u>

Sec. 5004. 2019 c 413 s 5030 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2019-21 Distressed Schools (92000142)

The appropriation in this section is subject to the following conditions and limitations:

(1) \$4,400,000 of the appropriation in this section is provided solely for classroom additions and other modernizations at Leschi elementary school in Seattle public schools.

(2) \$10,500,000 of the appropriation in this section is provided solely for classroom additions at Madison middle school in Seattle public schools.

(3) \$3,100,000 of the appropriation in this section is provided solely for heating and ventilation upgrades at North Beach elementary school in Seattle public schools.

(4) \$700,000 of the appropriation in this section is provided solely for a two-classroom preschool addition at John Muir Elementary School in Seattle.

(5) \$300,000 of the appropriation in this section is provided solely for conversion of two classrooms to a new health clinic at Lowell Elementary School in Seattle.

(6) \$328,000 of the appropriation in this section is provided solely for an agricultural resource center in Tacoma.

(7) \$200,000 of the appropriation in this section is provided solely for a schoolyard park in Tacoma.

(8) \$309,000 of the appropriation in this section is provided solely for a school-based health center in Port Orchard.

(9) The remaining portion of the appropriation is provided solely for competitive grants for modular classrooms made with mass timber products, including cross-laminated timber, for the purpose of replacing portables in school districts with space challenges due to unavailable land for new school facilities to accommodate enrollment growth or with an overdependent use of portables to provide classroom space. The grants are subject to the following conditions and limitations:

(a) School districts are responsible for the costs of site preparation; required permits; delivery and installation of the modular classrooms; furnishings, fixtures, and equipment; utility connections; and any other infrastructure costs related to the modular classrooms;

(b) The office of the superintendent of public instruction must prioritize projects based on the following criteria in the following order:

(i) School districts with high ratios of portable classrooms to permanent classrooms;

(ii) School districts with low acreage of land available for new construction;

(iii) Projects that achieve lowest cost per classroom with highest percentage of mass timber products in the overall construction of the project; and

(iv) Projects that demonstrate multistory application of mass timber products.

Appropriation:	
State Building Construction Account—State((\$23,000,000))	
.....	<u>\$24,837,000</u>
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0

TOTAL.....\$23,000,000
\$24,837,000

Sec. 5005. 2019 c 413 s 5035 (uncodified) is amended to read as follows:

FOR THE WASHINGTON ((STATE)) CENTER FOR ((CHILDHOOD DEAFNESS AND HEARING LOSS)) DEAF AND HARD OF HEARING YOUTH

Minor Works: Preservation 2019-21 (30000045)
 Appropriation:
 State Building Construction Account—State.....\$500,000
 Prior Biennia (Expenditures).....\$0
 Future Biennia (Projected Costs).....\$4,000,000
 TOTAL.....\$4,500,000

NEW SECTION. Sec. 5006. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

Magnuson Health Sciences Phase II - Renovation/Replacement (40000049)

Appropriation:
 State Building Construction Account—State.....\$1,000,000
 Prior Biennia (Expenditures).....\$0
 Future Biennia (Projected Costs).....\$59,000,000
 TOTAL.....\$60,000,000

NEW SECTION. Sec. 5007. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE WASHINGTON STATE UNIVERSITY

Washington State University Vancouver - Life Sciences Building (30000840)

Appropriation:
 State Building Construction Account—State.....\$4,000,000
 Prior Biennia (Expenditures).....\$500,000
 Future Biennia (Projected Costs).....\$52,600,000
 TOTAL.....\$57,100,000

Sec. 5008. 2019 c 413 s 5072 (uncodified) is amended to read as follows:

FOR THE CENTRAL WASHINGTON UNIVERSITY

Minor Works Preservation: 2019-21 (40000041)
 Appropriation:
 State Building Construction Account—State.....\$3,283,000
 Central Washington University Capital Projects Account—State.....(((\$7,000,000))
\$3,717,000
 Subtotal Appropriation.....\$7,000,000
 Prior Biennia (Expenditures).....\$0
 Future Biennia (Projected Costs).....\$28,000,000
 TOTAL.....\$35,000,000

NEW SECTION. Sec. 5009. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE CENTRAL WASHINGTON UNIVERSITY

Campus Security Enhancements (40000074)
 Appropriation:
 Central Washington University Capital Projects Account—State.....\$3,283,000
 Prior Biennia (Expenditures).....\$0
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$3,283,000

Sec. 5010. 2019 c 413 s 5079 (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

Historic Lord Mansion (91000029)
 The ((reappropriation)) appropriations in this section ((is)) are subject to the following conditions and limitations: The ((reappropriation is)) appropriations are subject to the provisions of section 5016, chapter 298, Laws of 2018.
 Reappropriation:
 State Building Construction Account—State.....\$100,000

Appropriation:
 State Building Construction Account—State.....\$300,000
 Prior Biennia (Expenditures).....(((\$404,000))
\$337,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$504,000
\$737,000

Sec. 5011. 2019 c 413 s 5093 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Washington Heritage Grants (30000237)
 Reappropriation:
 State Building Construction Account—State.....\$643,000
 Prior Biennia (Expenditures).....(((\$9,054,000))
\$8,411,000
 Future Biennia (Projected Costs).....\$0
 TOTAL.....\$9,697,000
\$9,054,000

Sec. 5012. 2019 c 413 s 5098 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Minor Works - Preservation: 2019-21 (40000086)
 Appropriation:
 State Building Construction Account—State.....(((\$1,545,000))
\$2,608,000
 Prior Biennia (Expenditures).....\$0
 Future Biennia (Projected Costs).....\$9,543,000
 TOTAL.....\$11,088,000
\$12,151,000

Sec. 5013. 2019 c 413 s 5101 (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

Minor Works - Preservation: 2019-21 (40000026)
 Appropriation:
 State Building Construction Account—State.....(((\$800,000))
\$1,559,000
 Prior Biennia (Expenditures).....\$0
 Future Biennia (Projected Costs).....\$3,200,000
 TOTAL.....\$4,000,000
\$4,759,000

Sec. 5014. 2019 c 413 s 5060 (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON UNIVERSITY

Engineering Building (30000556)
 Reappropriation:
 Eastern Washington University Capital Projects Account—State.....(((\$245,000))
\$345,000
 Prior Biennia (Expenditures).....(((\$100,000))
\$0
 Future Biennia (Projected Costs).....\$56,695,000
 TOTAL.....\$57,040,000

Sec. 5015. 2019 c 413 s 5122 (uncodified) is amended to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Shoreline: Allied Health, Science & Manufacturing Replacement (30000990)
 Reappropriation:
 State Building Construction Account—State.....\$2,902,000
 Appropriation:
 State Building Construction Account—State.....(((\$36,642,000))
\$0

FORTY FIFTH DAY, FEBRUARY 26, 2020

2020 REGULAR SESSION

Prior Biennia (Expenditures)	\$690,000
Future Biennia (Projected Costs)	\$0
TOTAL	<u>\$40,234,000</u>
.....	<u>\$3,592,000</u>

NEW SECTION. Sec. 5016. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Spokane Falls: Fine and Applied Arts Replacement (30001458)

Reappropriation:	
State Building Construction Account—State.....	\$2,616,000
Appropriation:	
State Building Construction Account—State.....	\$20,000,000
Prior Biennia (Expenditures)	\$211,000
Future Biennia (Projected Costs)	\$17,140,000
TOTAL	\$39,967,000

NEW SECTION. Sec. 5017. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Everett: Baker Hall Replacement (40000190)

Appropriation:	
State Building Construction Account—State.....	\$2,954,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$29,600,000
TOTAL	\$32,554,000

NEW SECTION. Sec. 5018. A new section is added to 2019 c 413 (uncodified) to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

Yakima Sun Dome Reflectors (92000002)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section, or as much thereof as may be necessary, is provided solely to evaluate the replacement of the reflectors on the Yakima Sun Dome.

Appropriation:	
State Building Construction Account—State	\$97,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$97,000

PART 6

2017-2019 BIENNIUM PROVISIONS

Sec. 6001. 2019 c 413 s 6003 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2018 Local and Community Projects (40000005)

The appropriations in this section are subject to the following conditions and limitations:

(1) The department shall not expend the appropriations in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) In contracts for grants authorized under this section the department shall include provisions which require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The appropriation is provided solely for the following list of projects:

Aberdeen Gateway Center (Aberdeen).....	\$1,750,000
Adams County Industrial Wastewater and Treatment Center (Othello)	\$1,250,000
Adna Elementary Playshed (Chehalis)	\$104,000
Airway Heights Recreation Complex (Airway Heights)	\$515,000
Alder Creek Pioneer Museum Expansion (Bickleton).....	\$500,000
Anderson Island Historical Society (Anderson Island).....	\$26,000
Appleway Trail Amenities (Spokane Valley).....	\$556,000
ARC Community Center Renovation (Bremerton) ..	\$81,000
Arlington Pocket Park Downtown Business District (Arlington)	\$46,000
Asia Pacific Cultural Center Design and Preconstruction (Tacoma)	\$250,000
Belfair Sewer Extension to Puget Sound Industrial Ctr (Belfair).....	\$515,000
Billy Frank Jr. Heritage Center (Olympia).....	\$206,000
Bloodworks NW Bloodmobiles	\$425,000
Bothell Parks Projects (Bothell).....	\$309,000
Bridgeview Education and Employment Resource Center (Vancouver).....	\$500,000
Brier ADA Ramp Updates Phase (Brier).....	\$115,000
Camp Schechter New Infrastructure and Dining Hall (Tumwater).....	\$200,000
Capitol Campus E. WA Butte (Olympia).....	\$52,000
Captain Joseph House (Port Angeles)	\$225,000
Carnation Central Business District Revitalization (Carnation)	\$1,545,000
Castle Rock Fair LED Lighting (Castle Rock).....	\$10,000
Centennial Connect Project (Marysville)	\$642,000
Centennial Trail - Southern Extension #1 (Snohomish)	\$1,000,000
Centerville Grange Renovation (Centerville).....	\$134,000
Centralia Fox Theatre Restoration (Centralia).....	\$299,000
Chamber Economic Development Project (Federal Way)	\$250,000
Chelan County Emergency Operations Center (Wenatchee)	\$1,000,000
Chelatchie Prairie Railroad Maintenance Bldg. Phase 2 (Yacolt).....	\$250,000
Cherry St. Fellowship (Seattle)	\$360,000
Children's Playgarden (Seattle)	\$315,000
Chimacum Ridge Forest Pilot (Port Townsend)..	\$3,400,000
City of Brewster Manganese Abatement (Brewster).....	\$752,000
Cityview Conversion to Residential Treatment (Moses Lake).....	\$250,000
Clark County Historical Museum (Vancouver).....	\$300,000
Clymer Museum and Gallery Remodel (Ellensburg).....	\$258,000

Coastal Harvest Roof Replacement (Hoquiam).....	\$206,000	(George).....	\$700,000
Cocoon House (Everett).....	\$1,000,000	Inland Northwest Rail Museum (Reardan).....	\$170,000
College Place Well Consolidation and Replacement (College Place)	\$900,000	Innovative Health Care Learning Center (Yakima)	\$1,000,000
Columbia River Trail (Washougal).....	\$1,000,000	Interbay PDAC (Seattle)	\$900,000
Confluence Park Improvements (P2&3) (Issaquah)	\$206,000	Intrepid Spirit Center (Tacoma)	\$1,000,000
Country Doctor Community Health Centers (Seattle)	\$280,000	Islandwood Comm Dining Hall and Kitchen (Bainbridge Island).....	\$200,000
Covington Town Center Civic Plaza Development (Covington).....	\$820,000	Kenmore Public Boathouse (Kenmore).....	\$250,000
Cross Park (Puyallup).....	\$1,500,000	Key Peninsula Civic Center Generator (Vaughn)....	\$60,000
Daffodil Heritage Float Barn (Puyallup).....	\$103,000	Key Peninsula Elder Community (Lakebay).....	\$515,000
Darrington Rodeo Grounds (Darrington).....	\$250,000	Kitchen Upgrade Belfair Senior Center Meals on Wheels (Belfair).....	\$12,000
Des Moines Marina Bulkhead & Fishing Pier Renovation (Des Moines)	\$2,000,000	Kitsap Reg. Library Foundation, Silverdale Library (Silverdale).....	\$250,000
Disaster Response Communications Project (Colville)	\$1,000,000	Kona Kai Coffee Training Center (Tukwila).....	\$407,000
District 5 Public Safety Center (Sultan).....	\$1,500,000	La Conner New Regional Library (La Conner).....	\$500,000
Downtown Pocket Park at Rockwell (Port Orchard)	\$309,000	Lacey Boys and Girls Club (Lacey)	\$30,000
DuPont Historical Museum Renovation HVAC (DuPont)	\$53,000	Lake Chelan Community Hospital & Clinic Replacement (Chelan).....	\$300,000
East Grays Harbor Fiber Project (Elma)	\$463,000	Lake City Comm Center, Renovate Magnuson Comm Center (Seattle).....	\$2,000,000
East Hill YMCA/Park Renovation (Kent)	\$1,000,000	Lake Stevens Civic Center (Lake Stevens)	\$3,100,000
Eastside Community Center (Tacoma).....	\$2,550,000	Lake Stevens Food Bank (Lake Stevens)	\$300,000
Ebeby Waterfront Trail and Shoreline Access (Marysville)	\$1,000,000	Lake Sylvia State Park Legacy Pavilion (Montesano)	\$696,000
Emmanuel Life Center Kitchen (Spokane).....	\$155,000	Lake Tye All-Weather Fields (Monroe)	\$800,000
Ethiopian Community Affordable Senior Housing (Seattle)	\$400,000	Lakewood Playhouse Lighting System Upgrade (Lakewood)	\$60,000
Evergreen Pool Resurfacing (White Center).....	\$247,000	Lambert House Purchase (Seattle)	\$500,000
Fall City Wastewater Infrastructure Planning & Design (Fall City)	\$1,000,000	Larson Playfield Lighting Renovation (Moses Lake)	\$146,000
Family Medicine Remodel (Goldendale).....	\$195,000	Lewis Co Fire Dist #1 Emergency Svcs Bldg & Resrce Ctr (Onalaska)	\$80,000
Federal Way Camera Replacement (Federal Way)	\$250,000	LIGO STEM Exploration Center (Richland).....	\$411,000
Federal Way Senior Center (Federal Way).....	\$175,000	Longbranch Marina (Longbranch)	\$248,000
Flood Protection Wall & Storage Building (Sultan)	\$286,000	Longview Police Department Range and Training (Castle Rock).....	\$271,000
Food Lifeline Food Bank.....	\$1,250,000	Lyon Creek, SR 104 Fish Barrier Removal (Lake Forest Park).....	\$1,200,000
Forestry Museum Building (Tenino)	\$16,000	Maury Island Open Space Remediation (Maury Island)	\$2,000,000
Fox Island Catastrophic Emergency Preparation (Fox Island)	\$17,000	McChord Airfield North Clear Zone (Lakewood)	\$2,000,000
Francis Anderson Center Roofing Project (Edmonds)	\$391,000	Mill Creek Flood Control Project (Kent).....	\$2,000,000
Freeland Water and Sewer District Sewer Project (Freeland)	\$1,500,000	Millionair Club Charity Kitchen (Seattle).....	\$167,000
FUSION Transitional Hse Pgm/FUSION Decor Boutique (Federal Way).....	\$500,000	Moorlands Park Improvements (Kenmore).....	\$250,000
Gig Harbor Sports Complex (Gig Harbor).....	\$206,000	Morrow Manor (Poulsbo).....	\$773,000
Granger Historical Society Museum Acquisition (Granger)	\$255,000	Mount Baker Properties Cleanup Site (Seattle)...	\$1,100,000
Greater Maple Valley Veterans Memorial Foundation (Maple Valley).....	\$258,000	Mount Rainier Early Warning System (Pierce County)	\$1,751,000
GreenBridge/4th Ave Streetscaping (White Center)	\$1,195,000	Mukilteo Tank Farm Remediation (Mukilteo)	\$257,000
Harmony Sports Complex Infrastructure & Safety Imprve (Vancouver).....	\$1,177,000	Multicultural Community Center (Seattle).....	\$1,300,000
Harrington School District #204, Pool Renovation (Harrington).....	\$97,000	NE Snohomish County Community Services Campus (Granite Falls)	\$375,000
Historic Mukai Farm and Garden Restoration (Vashon)	\$250,000	NeighborCare Health (Vashon).....	\$3,000,000
Holly Ridge Center Building (Bremerton).....	\$475,000	New Fire Station at Lake Lawrence (Yelm).....	\$252,000
Honor Point Military and Aerospace Museum (Spokane)	\$100,000	North Cove Erosion Control (South Bend)	\$650,000
HopeWorks TOD Center (Everett)	\$2,760,000	Northshore Athletic Fields (Woodinville).....	\$400,000
Hoquiam Library (Hoquiam).....	\$250,000	Northwest Improvement Company Building (Roslyn)	\$1,000,000
HUB Sports Center (Liberty Lake).....	\$516,000	Olmstead-Smith Historical Gardens Replacement Well (Ellensburg).....	\$17,000
Industrial Park No. 5 Road Improvements (George)	\$412,000	Orting's Pedestrian Evacuation Crossing SR162 (Orting)	\$500,000
Industrial Park No. 5 Water System Improvements (George).....	\$700,000	Othello Regional Water Project (Othello)	\$1,000,000
		Paradise Point Water Supply System Phase IV (Ridgefield)	\$500,000
		Pepin Creek Realignment (Lynden)	\$3,035,000

Performing Arts & Events Center (Federal Way)	\$1,000,000
Pioneer Village ADA Accessible Pathways (Ferndale)	
.....	\$154,000
Port Ilwaco/Port Chinook Marina Mtce Drdg & Matl Disps (Chinook)	\$77,000
Port Orchard Marina Breakwater Refurbishment (Port Orchard)	\$1,019,000
Poulsbo Outdoor Salmon Observation Area (Poulsbo)	
.....	\$475,000
((Puyallup Meeker Mansion Public Plaza (Puyallup))	(\$500,000))
Quincy Square on 4th (Bremerton)	\$250,000
R.A. Long Park (Longview)	\$296,000
Redondo Beach Rocky Reef (Des Moines)	\$500,000
Ridgefield Outdoor Recreation Complex (Ridgefield)	
.....	\$750,000
Rochester Boys & Girls Club upgrades (Rochester)	\$26,000
Save the Old Tower (Pasco)	\$300,000
Schilling Road Fire Station (Lyle)	\$448,000
Scott Hill Park (Woodland)	\$750,000
Seattle Aquarium (Seattle)	\$400,000
Seattle Indian Health Board (Seattle)	\$200,000
Seattle Opera (Seattle)	\$465,000
Shelton Basin 3 Sewer Rehabilitation Project (Shelton)	
.....	\$1,500,000
Skagit Co Public Safety Emgcy Commun Ctr Exp/Remodel (Mt. Vernon)	\$525,000
Skagit County Veterans Community Park (Sedro-Woolley)	
.....	\$500,000
Skagit Valley YMCA (Mt. Vernon)	\$400,000
Snohomish JROTC Program (Snohomish)	\$189,000
South Gorge Trail (Spokane)	\$250,000
South Snohomish County Community Resource Center (Lynnwood)	\$2,210,000
South Thurston County Meals on Wheels Kitchen Upgrade (Yelm)	\$30,000
Southwest WA Agricultural Business Park (Tenino)	\$618,000
Southwest Washington Fair Grange Building Re-Roof (Chehalis)	\$54,000
Spanaway Lake Management Plan (Spanaway)	\$26,000
Squalicum Waterway Maintenance Dredging (Bellingham)	
.....	\$750,000
Steilacoom Historical Museum Storage Building (Steilacoom)	\$31,000
Sunnyside Community Hospital (Sunnyside)	\$2,000,000
Sunset Career Center (Renton)	\$412,000
Sunset Neighborhood Park (Renton)	\$3,050,000
Tacoma's Historic Theater District (Tacoma)	\$1,000,000
Tam O'Shanter Athletic Arena (Kelso)	\$1,000,000
Toledo Beautification (Toledo)	\$52,000
Trout Lake School/Community Soccer & Track Facility (Trout Lake)	\$77,000
Tumwater Boys and Girls Club (Olympia)	\$36,000
Turning Pointe Domestic Violence Svc: Shelter Imprv/Rep (Shelton)	\$27,000
Twisp Civic Building (Twisp)	\$750,000
University YMCA (Seattle)	\$600,000
Veterans Memorial Museum (Chehalis)	\$354,000
Washington Agricultural Education Center (Lynden)	
.....	\$1,800,000
Washington Care Services (Seattle)	\$400,000
Washington State Horse Park Covered Arena (Cle Elum)	
.....	\$2,000,000
Waste Treatment and Sewer Collection System (Toppenish)	\$1,405,000

Wastewater Collection & Water Distribution Replacemnt (Carbonado)	\$1,500,000
Water Treatment for Kidney Dialysis	\$499,000
Wayne Golf Course Region Park (Bothell)	\$1,000,000
Wesley Homes Bradley Park (Puyallup)	\$1,380,000
Westport Marina (Westport)	\$2,500,000
Weyerhaeuser Land Preservation (Federal Way)	\$1,250,000
Whidbey Island Youth Project (Oak Harbor and Coupeville)	\$300,000
White Pass Country Historical Museum (Packwood)	\$283,000
Whitehouse Additional Capital Campaign (Pasco)	\$1,500,000
Willows Road Regional Trail Connection (Kirkland)	
.....	\$1,442,000
Winlock HS Track (Winlock)	\$103,000
Winlock Industrial Infrastructure Development (Winlock)	\$1,500,000
Wishram School CTE Facility (Wishram)	\$150,000
Yakima Valley SunDome Repairs (Yakima)	\$206,000
Yelm City Park Playground Modernization (Yelm)	\$247,000
Youth Eastside Services (Bellevue)	\$26,000
YWCA Family Justice Center (Spokane)	\$103,000

(8) \$26,000 of the appropriation in this section is provided solely for implementation of the Spanaway lake management plan.

(9) \$1,250,000 of the appropriation in this section is provided solely for the planning, development, acquisition, and other activities pursuing open space conservation strategies for the historic Federal Way Weyerhaeuser campus. The grant recipient must be a regional nonprofit nature conservancy that works to conserve keystone properties selected by the city of Federal Way.

(10)(a) \$900,000 of the appropriation in this section is provided solely for an Interbay public development advisory committee. It is the intent of the legislature to examine current and future needs of a state entity that performs an essential public function on state-owned property located in one of the state's designated manufacturing industrial centers. The legislature further intends to explore the potential future uses of this state-owned property in the event that the state entity determines that it must relocate in order to protect its ability to perform its essential public function.

(b) The Interbay public development advisory committee is created to make recommendations regarding the highest public benefit and future economic development uses for the Washington army national guard armory facility in the city of Seattle, pier 91 property, located at the descriptions referred to in the quit claim deeds for two parcels of land, 24.75 acres total, dated January 8, 1971, and December 22, 2009.

(c) The Interbay advisory committee consists of seven persons appointed as follows:

(i) One person appointed by the speaker of the house of representatives;

(ii) One person appointed by the president of the senate; and

(iii) Five persons appointed by the governor, who must collectively have experience in forming public-private partnerships to develop workforce housing or affordable housing; knowledge of project financing options for public-private partnerships related to housing; architectural design and development experience related to industrial lands and mixed-use zoning to include housing; and experience leading public processes to engage communities and other stakeholders in public discussions regarding economic development decisions.

(d) The Interbay public development advisory committee must:

(i) Work in collaboration with the military department to determine the needs of the military department if it is relocated

from the land described in subsection (1) of this section, including identifying:

- (A) Current uses;
 - (B) Future needs of the units currently at this location;
 - (C) Potential suitable publicly owned sites in Washington for relocation of current units; and
 - (D) The costs associated with acquisition, construction, and relocation to another site or sites for these units;
- (ii) Explore the future economic development opportunities if the land described in subsection (1) of this section is vacated by the military department, and make recommendations, including identifying:
- (A) Suitable and unsuitable future uses for the land;
 - (B) Environmental issues and associated costs;
 - (C) Current public infrastructure availability, future public infrastructure plans by local or regional entities, and potential public infrastructure needs;
 - (D) Transportation corridors in the immediate area and any potential right-of-way needs; and
 - (E) Existing zoning regulations for the land and potential future zoning needs to evaluate workforce housing, affordable housing, and other commercial and industrial development compatible with the Ballard-Interbay manufacturing industrial center designation;

(iii) Explore the potential funding sources and partners as well as any needed transactions, and make recommendations, including:

- (A) Any potential private partners or investors;
 - (B) Necessary real estate transactions;
 - (C) Federal funding opportunities; and
 - (D) State and local funding sources, including any tax-related programs; and
- (iv) Conduct at least three public meetings at a location within the Ballard-Interbay manufacturing industrial center, where a quorum of the Interbay public development advisory committee members are present, at which members of the public are invited to present to the Interbay advisory committee regarding the future uses of the site and potential issues such as industrial land use, commercial development, residential zoning, and public infrastructure needs.

(e) Nothing in this section authorizes the solicitation of interest or bids for work related to the purposes of this section.

(f) The department of commerce shall provide staff support to the Interbay advisory committee. The department may contract with outside consultants to provide any needed expertise.

(g) Legislative members of the Interbay advisory committee are reimbursed for travel 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.

(11) \$2,000,000 of the appropriation in this section is provided solely to the city of Lakewood for the purchase of property within the federally designated north clear zone at joint base Lewis-McChord. Once acquired, the property must be zoned for use compatible with the mission and activity of McChord airfield. The city may lease or resell the acquired property for fair market value, but any such lease or sale must include restrictions or covenants ensuring that the use of the property is safely compatible with the mission and activity of McChord airfield. If the city subsequently resells, rezones, develops, or leases the property for commercial or industrial uses contrary to the allowed uses in the north clear zone, the city must repay to the state the amount spent on the purchase of the property in its entirety within ten years.

(12) \$250,000 of the appropriation in this section is provided solely for a grant to the Federal Way chamber of commerce for two economic development projects focused in the south Puget Sound area. The amounts in this section must be used for a business retention and expansion program to conduct economic research in collaboration with stakeholders, develop data-driven economic strategies, and produce a written evaluation; and a tourism enhancement program to develop and inventory the Federal Way area tourism sector, analyze data regarding visitation, and produce a written evaluation.

(13) \$400,000 of the appropriation in this section is provided solely for the Northshore athletic field which shall be named "Andy Hill Sports Complex."

(14) \$1,177,000 of the appropriation in this section is provided solely for the Harmony sports complex infrastructure and safety improvements in Vancouver and is contingent upon the facility being open to the public.

(15) \$250,000 of the appropriation in this section is provided solely for the Asia Pacific cultural center in Tacoma. It is the intent of the legislature that beyond the 2017-2019 fiscal biennium no state funding is provided to the Asia Pacific cultural center in Tacoma.

Appropriation:

State Building Construction Account—State(\$130,941,000)	\$130,441,000
.....	<u>\$130,441,000</u>
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL.....	<u>\$130,941,000</u>
.....	<u>\$130,441,000</u>

Sec. 6002. 2019 c 413 s 6005 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2017-19 Housing Trust Fund Program (30000872)

The appropriations in this section are subject to the following conditions and limitations:

(1) \$83,500,000 of the state taxable building construction account—state appropriation, \$19,631,000 of the state building construction account—state appropriation, and \$8,658,000 of the Washington housing trust account—state appropriation are provided solely for affordable housing and preservation of affordable housing. Of the amounts in this subsection:

(a) \$24,370,000 is provided solely for housing projects that provide supportive housing and case-management services to persons with chronic mental illness. The department must prioritize low-income supportive housing unit proposals that provide services or include a partner community behavioral health treatment provider;

(b) \$10,000,000 is provided solely for housing preservation grants or loans to be awarded competitively. The grants may be provided for major building improvements, preservation, and system replacements, necessary for the existing housing trust fund portfolio to maintain long-term viability. The department must require that a capital needs assessment is performed to estimate the cost of the preservation project at contract execution. Funds may not be used to add or expand the capacity of the property. To receive grants, housing projects must meet the following requirements:

- (i) The property is more than fifteen years old;
- (ii) At least 50 percent of the housing units are occupied by families and individuals at or below 30 percent area median income.
- (iii) The improvements will result in reduction of operating or utilities costs, or both; and
- (iv) Other criteria that the department considers necessary to achieve the purpose of this program.

FORTY FIFTH DAY, FEBRUARY 26, 2020

2020 REGULAR SESSION

(c) \$5,000,000 is provided solely for housing projects that benefit people at or below 80 percent of the area median income who have been displaced by a natural disaster declared by the governor, including people who have been displaced within the last two biennia.

(d) \$1,000,000 of the Washington housing trust account—state appropriation is provided solely for the department to work with the communities of concern commission to focus on creating capital assets that will help reduce poverty and build stronger and more sustainable communities using the communities' cultural understanding and vision. The funding must be used for predevelopment costs for capital projects identified by the commission and for other activities to assist communities in developing capacity to create community-owned capital assets.

(e) \$1,000,000 of the Washington housing trust account—state appropriation and \$1,500,000 of the state taxable building construction account—state appropriation are provided solely for the purchase of the three south annex properties. The state board for community and technical colleges must transfer the three south annex properties located at 1530 Broadway, 1534 Broadway, and 909 East Pine street to ~~((one or more nonprofits or public development authorities selected by the department, if the selected entities agree to use the properties))~~ Capitol Hill Housing to provide services and housing for homeless youth or young adults for a minimum of ~~((twenty-five))~~ fifty years. The transfer agreement between the state board for community and technical colleges and ~~((the selected entities))~~ Capitol Hill Housing must specify a mutually agreed transfer date and require ~~((the selected entities))~~ Capitol Hill Housing to cover any closing costs with a total purchase price of nine million dollars for all three properties. The contract between the department and Capitol Hill Housing must provide that Capitol Hill Housing will be responsible for maintaining and securing the property until it is developed. The contract must also specify that, if Capitol Hill Housing does not construct at least seventy affordable housing units on the site by 2028, this funding must be fully repaid to the state or the land must revert back to the state.

(f) \$25,506,000 is provided solely for the following list of housing projects:

- (i) Spokane Housing Predesign.....\$500,000
- (ii) El Centro de la Raza \$737,000
- (iii) Highland Village Preservation \$1,500,000
- (iv) King County Modular Housing Project.....\$1,500,000
- (v) Nisqually Tribal Housing \$1,250,000
- (vi) Othello Homesight Community Center.....\$3,000,000
- (vii) Parkview Apartments Affordable Housing\$100,000
- (viii) Supported Housing and Employment (Longview) \$129,000

(ix) \$2,000,000 is provided solely for homeownership assistance for low-income households displaced from their manufactured/mobile homes due the closure or conversion of a mobile home park or manufactured housing community in south King County. \$1,500,000 of this amount in this subsection is provided solely for low-income residents displaced from the Firs Mobile Home Park located in SeaTac.

(x) \$6,000,000 is provided solely for grants for high quality low-income housing projects that will quickly move people from homelessness into secure housing, and are significantly less expensive to construct than traditional housing. It is the intent of the legislature that these grants serve projects with a total project development cost per housing unit of less than ~~(((\$125,000))~~ \$135,000, excluding the value of land, and with a commitment by the applicant to maintain the housing units for at least a twenty-five year period. Amounts provided that are subject to this subsection must be used to plan, predesign, design, provide

technical assistance and financial services, purchase land for, and build innovative low-income housing units. \$3,000,000 of the appropriation that is subject to this subsection is provided solely for innovative affordable housing in Shelton and \$3,000,000 of the appropriation that is subject to this subsection is provided solely for innovative affordable housing for veterans in Orting. Mental health and substance abuse counseling services must be offered to residents of housing projects supported by appropriations in this subsection. \$500,000 of the appropriation for housing units in Shelton can be released for purchase of land, planning, or predesign services before the project is fully funded. \$500,000 of the appropriation for housing units in Orting can be released for purchase of land, planning, or predesign services before the project is fully funded.

(xi) \$7,290,000 is provided solely for grants to the following organizations using innovative methods to address homelessness: \$4,290,000 for THA Arlington drive youth campus in Tacoma and \$3,000,000 for a King county housing project.

(xii) \$1,500,000 is provided solely for Valley Cities modular housing project in Auburn.

(g) Of the amounts appropriated remaining after (a) through (f) of this subsection, the department must allocate the funds as follows:

- (i) 10 percent is provided solely for housing projects that benefit veterans;
- (ii) 10 percent is provided solely for housing projects that benefit homeownership;
- (iii) 5 percent is provided solely for housing projects that benefit people with developmental disabilities;
- (iv) The remaining amount is provided solely for projects that serve low-income and special needs populations in need of housing, including, but not limited to, homeless families with children, homeless youth, farmworkers, and seniors.

(2) In evaluating projects in this section, the department must give preference for applications based on some or all of the criteria in RCW 43.185.070(5).

(3) The department must strive to allocate all of the amounts appropriated in this section within the 2017-2019 fiscal biennium in the manner prescribed in subsection (1) of this section. However, if upon review of applications the department determines there are not adequate suitable projects in a category, the department may allocate funds to projects serving other low-income and special needs populations, provided those projects are located in an area with an identified need for the type of housing proposed.

Appropriation:

State Building Construction Account—State	\$19,631,000
State Taxable Building Construction Account—State	\$83,500,000
Washington Housing Trust Account—State	\$8,658,000
Subtotal Appropriation.....	\$111,789,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$400,000,000
TOTAL.....	\$511,789,000

Sec. 6003. 2019 c 413 s 1024 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2018 Local and Community Projects (40000005)

The reappropriation in this section is subject to the following conditions and limitations:

- (1) The reappropriation is subject to the provisions of section 6003 of this act.
- (2) The Interbay public development advisory committee shall provide a report to the legislature and office of the governor with recommendations by November 15, 2019. The Interbay advisory

committee's recommendations must include recommendations regarding the structure, composition, and scope of authority of any subsequent state public development authority that may be established to implement the recommendations of the Interbay advisory committee.

(3) The Interbay public development advisory committee terminates June 30, 2020.

Reappropriation:

State Building Construction Account—State((\$91,142,000))	
.....	\$90,642,000
Prior Biennia (Expenditures)	\$39,799,000
Future Biennia (Projected Costs)	\$0
TOTAL	<u>\$130,941,000</u>
.....	<u>\$130,441,000</u>

PART 7

MISCELLANEOUS PROVISIONS

Sec. 7001. 2019 c 413 s 7001 (uncodified) is amended to read as follows:

RCW 43.88.031 requires the disclosure of the estimated debt service costs associated with new capital bond appropriations. The estimated debt service costs for the appropriations contained in this act are (~~forty-eight million six hundred eighteen thousand two hundred eighteen dollars for the 2019-2021 biennium, three hundred six million nine hundred two thousand nine hundred ninety-six dollars for the 2021-2023 biennium, and four hundred thirty-three million two hundred fifty-nine thousand five hundred seventy-three dollars for the 2023-2025 biennium~~) forty-three million three hundred fourteen thousand six hundred forty-two dollars for the 2019-2021 biennium, three hundred million four hundred twenty-two thousand three hundred forty-three dollars for the 2021-2023 biennium, and four hundred seventeen million four hundred fifty-five thousand six hundred sixty dollars for the 2023-2025 biennium.

Sec. 7002. 2019 c 413 s 7002 (uncodified) is amended to read as follows:

ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS.

(1) The following agencies may enter into financial contracts, paid from any funds of an agency, appropriated or nonappropriated, for the purposes indicated and in not more than the principal amounts indicated, plus financing expenses and required reserves pursuant to chapter 39.94 RCW. When securing properties under this section, agencies shall use the most economical financial contract option available, including long-term leases, lease-purchase agreements, lease-development with option to purchase agreements or financial contracts using certificates of participation. Expenditures made by an agency for one of the indicated purposes before the issue date of the authorized financial contract and any certificates of participation therein are intended to be reimbursed from proceeds of the financial contract and any certificates of participation therein to the extent provided in the agency's financing plan approved by the state finance committee.

(2) Those noninstructional facilities of higher education institutions authorized in this section to enter into financial contracts are not eligible for state funded maintenance and operations. Instructional space that is available for regularly scheduled classes for academic transfer, basic skills, and workforce training programs may be eligible for state funded maintenance and operations.

(3) Secretary of state: Enter into a financing contract for up to \$103,143,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a new library-archives building.

(4) Washington state patrol: Enter into a financing contract for up to \$7,450,000 plus financing expenses and required reserves

pursuant to chapter 39.94 RCW to construct a burn building for live fire training.

(5) Department of social and health services: Enter into a financing contract for up to \$3,600,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase the King county secure community transition center.

(6) Department of social and health services: Enter into a financing contract for up to \$118,000,000 plus costs and financing expenses and required reserves pursuant to chapter 39.94 RCW to design and construct a nursing facility on the Fircrest Residential Habilitation Center campus on the existing adult training program site. The department may contract to lease develop or lease purchase the facility. Before entering into a contract, the department must consult with the office of financial management and the office of the state treasurer. Should the department of social and health services choose to use a financing contract that does not provide for the issuance of certificates of participation, the financing contract shall be subject to approval by the state finance committee as required by RCW 39.94.010. In approving a financing contract not providing for the use of certificates of participation, the state finance committee should be reasonably certain that the contract is excluded from the computation of indebtedness, particularly that the contract is not backed by the full faith and credit of the state and the legislature is expressly not obligated to appropriate funds to make payments. For purposes of this subsection, "financing contract" includes but is not limited to a certificate of participation and tax exempt financing similar to that authorized in RCW 47.79.140.

(7) Department of fish and wildlife: Enter into a financing contract for up to \$3,099,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase automated salmon marking trailers.

~~((7))~~ (8) Department of natural resources: Enter into a financing contract for up to \$1,800,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to remodel spaces within agency-owned commercial buildings that will benefit the common school trust.

~~((8))~~ (9) Western Washington University: Enter into a financing contract for up to \$9,950,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a consolidated academic support services facility. Debt service for this facility may not be paid from additional student fees.

~~((9))~~ (10) Community and technical colleges:

(a) Enter into a financing contract on behalf of Columbia Basin Community College for up to \$27,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a student recreation center.

(b) Enter into a financing contract on behalf of Pierce College Puyallup for up to \$2,831,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase land and construct parking.

(c) Enter into a financing contract on behalf of Walla Walla Community College for up to \$1,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build a student activity center on the Clarkston campus.

(d) Enter into a financing contract on behalf of Walla Walla Community College for up to \$6,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build a student recreation center.

(e) Enter into a financing contract on behalf of Wenatchee Valley College for up to \$4,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the Wells Hall replacement project.

(f) Enter into a financing contract on behalf of Yakima Valley Community College for up to \$22,700,000 plus financing

FORTY FIFTH DAY, FEBRUARY 26, 2020

2020 REGULAR SESSION

expenses and required reserves pursuant to chapter 39.94 RCW to build additional instructional and lab classroom space.

(g) Enter into a financing contract on behalf of Everett Community College for up to \$10,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase one or more properties adjacent to the campus.

(h) Enter into a financing contract on behalf of South Seattle College for up to \$10,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build a student wellness and fitness center.

(11) Eastern Washington University: Enter into a financing contract for up to \$3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for roof replacement projects.

Sec. 7003. RCW 43.19.501 and 2018 c 2 s 7027 are each amended 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 2015-2017 biennium, moneys in the account may be used for studies related to real estate.))~~

During the ~~((2017-2019))~~ 2019-2021 fiscal biennium, the Thurston county capital facilities account may be appropriated for costs associated with staffing to support capital budget and project activities and lease and facility oversight activities.

NEW SECTION. Sec. 7004. A new section is added to 2019 c 413 (uncodified) to read as follows:

The department of natural resources, in coordination with the department of social and health services, may enter into long-term, revenue generating opportunities for underutilized portions of the Fircrest Residential Habilitation Center bounded by 15th Ave NE and NE 150th Street to benefit the charitable, educational, penal, and reformatory trust. Long-term, revenue generating opportunities may include, but are not limited to, land leases, land sales, and land swaps. It is the intent of the legislature that any revenue obtained from these opportunities be utilized by the department of social and health services for community services benefiting those with developmental disabilities. The department of social and health services and the department of natural resources must amend their lease if necessary to conform with this section.

NEW SECTION. Sec. 7005. A new section is added to 2019 c 413 (uncodified) to read as follows:

In order to accelerate the reduction of embodied carbon and improve the environmental performance of construction materials, agencies shall, whenever possible, review and consider embodied carbon reported in environmental product declarations when evaluating proposed structural materials for construction projects.

Sec. 7006. 2019 c 413 s 7021 (uncodified) is amended to read as follows:

(1) The department of enterprise services, in consultation with the office of financial management, is granted the authority to sell the real property known as the Tacoma Rhodes complex. The property consists of the Broadway building, Market building, and parking garage.

(2) The department may negotiate a sale with the city of Tacoma for less than fair market value, but the purchase price must cover appraisal costs, all debt service, all closing costs, all financing contracts, and the cost of outstanding liabilities necessary to keep the department whole.

(3) If the department and the city of Tacoma are unable to negotiate agreed upon terms and execute a purchase and sale

agreement by December 31, 2019, the department may sell the property to any purchaser for no less than fair market value.

(4) The terms and conditions of the sale must meet the business needs of the state tenants.

(5) Any sale proceeds remaining after the department has satisfied all of the obligations, including appraisal costs, all debt service, all closing costs, all financing contracts, and the cost of outstanding liabilities, must be deposited into the Thurston county capital facilities account. It is the intent of the legislature to use the sale proceeds for projects on the Capitol Campus.

NEW SECTION. Sec. 7007. 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. 7008. 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 "to;" strike the remainder of the title and insert "the capital budget; making appropriations and authorizing expenditures for capital improvements; amending RCW 43.19.501; amending 2019 c 413 ss 1009, 1029, 1030, 1035, 1041, 1042, 1043, 1051, 1059, 1065, 1033, 1073, 1078, 1090, 1092, 1093, 2001, 2002, 2010, 2030, 2037, 2038, 2039, 2041, 2072, 2075, 2080, 2084, 2091, 2093, 2094, 2096, 2098, 3008, 3009, 3011, 3016, 3022, 3023, 3026, 3028, 3030, 3031, 3032, 3034, 3036, 3038, 3052, 3056, 3062, 3064, 3081, 3096, 3097, 3069, 3115, 3119, 3120, 3123, 3129, 3131, 3132, 3135, 3137, 3141, 3143, 3144, 3145, 3149, 3150, 3151, 3152, 3153, 3156, 3204, 3223, 3232, 3236, 3242, 3247, 3252, 3253, 3254, 3255, 3274, 3275, 3294, 5012, 5028, 5030, 5035, 5072, 5079, 5093, 5098, 5101, 5060, 5122, 6003, 6005, 1024, 7001, 7002, and 7021 (uncodified); adding new sections to 2019 c 413 (uncodified); creating a new section; making appropriations; repealing 2019 c 413 ss 3099 and 3296 (uncodified); and declaring an emergency."

WITHDRAWAL OF AMENDMENT

On motion of Senator Warnick and without objection, floor amendment no. 1176 by Senator Warnick on page 13, line 16 to Substitute Senate Bill No. 6248 was withdrawn.

MOTION

Senator Frockt moved that the following floor amendment no. 1174 by Senator Frockt be adopted:

On page 20, line 9, after "(AiPACE)" insert "(Preconstruction activities)"

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senator Frockt 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 floor amendment no. 1174 by Senator Frockt on page 20, line 9 to striking floor amendment no. 1173.

The motion by Senator Frockt carried and floor amendment no. 1174 was adopted by voice vote.

MOTION

Senator Becker moved that the following floor amendment no. 1175 by Senator Becker be adopted:

On page 31, after line 27, insert the following:
 "Bethel High School Pierce College Annex Campus (Graham) . . . \$300,000"
 On page 34, line 2, strike "\$13,254,000" and insert "\$13,554,000"
 On page 34, line 5, strike "\$13,254,000" and insert "\$13,554,000"
 Renumber the remaining sections consecutively and correct any internal references accordingly.

Senators Becker and Frockt 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 floor amendment no. 1175 by Senator Becker on page 31, after line 27 to striking floor amendment no. 1173.

The motion by Senator Becker carried and floor amendment no. 1175 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1173 by Senator Frockt as amended to Substitute Senate Bill No. 6248.

The motion by Senator Frockt carried and striking floor amendment no. 1173 as amended was adopted by voice vote.

MOTION

On motion of Senator Frockt, 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 Frockt 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 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, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

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.

MOTION

Senator Short moved that Substitute Senate Bill No. 6628, restoring voter eligibility for all persons convicted of a felony offense who are not in total confinement under the jurisdiction of the department of corrections, be removed from the Second Reading Calendar and the measure be referred to the Committee on Rules.

Senators Short and Liias spoke in favor of the motion by Senator Short to refer the bill.

The President declared the question before the Senate to be the motion by Senator Short that the bill be removed from the Second Reading Calendar and it be referred to the Committee on Rules.

The motion by Senator Short carried and Substitute Senate Bill No. 6288 was referred to the Committee on Rules by voice vote.

SECOND READING

ENGROSSED HOUSE BILL NO. 1687, by Representatives Stanford, Doglio, Macri, Hansen, Orwall, Appleton, Jinkins, Ormsby, Valdez and Davis

Limiting defenses based on victim identity.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed House Bill No. 1687 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Stanford and Pedersen 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 House Bill No. 1687.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1687 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Fortunato, Padden and Rivers

ENGROSSED HOUSE BILL NO. 1687, having received the 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. 1750, by Representatives Mosbrucker and Lovick

Filling vacancies in county sheriff offices.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, House Bill No. 1750 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short spoke in favor of passage of the bill.

FORTY FIFTH DAY, FEBRUARY 26, 2020

2020 REGULAR SESSION

The President declared the question before the Senate to be the final passage of House Bill No. 1750.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1750 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

HOUSE BILL NO. 1750, having received the 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 11:30 a.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Thursday, February 27, 2020.

Senator Becker announced a meeting of the Republican Caucus immediately upon adjournment.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon adjournment.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FORTY SIXTH DAY**MORNING SESSION**

Senate Chamber, Olympia
Thursday, February 27, 2020

The Senate was called to order at 10:05 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present.

The Rogers High School Junior Reserve Officers' Training Corps (Jr. ROTC) Color Guard of Rogers High School, Puyallup, consisting of Cadet Gonzalez, Cadet Bunko, Cadet Goodman and Cadet Shock, presented the Colors. Page Miss. Lucy Siebert led the Senate in the Pledge of Allegiance. The prayer was offered by Reverend Carol McKinley, Olympia Unitarian Universalist Congregation.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

Senator Liias moved that, pursuant to Rule 46, all senate committees be granted special leave to meet during the day's pro forma floor session.

Senator Padden objected to the motion by Senator Liias.

Senator Padden spoke on his objection to the motion.

President Habib: "Thank you Senator Padden, just to be clear. Are you objecting for the purpose of calling for a vote on the question or are you registering your displeasure? How you would like us to proceed?"

Senator Padden: "I am registering my displeasure, there is no need for a vote. Thank you, Mr. President."

President Habib: "Thank you, Senator Padden and I know that from speaking with the Majority Floor Leader that this was not an easy decision to schedule floor time but in light of the extraordinary list of requests for very important resolutions that he granted floor time for this is how he has chosen to proceed in an extraordinary set of circumstances, so I appreciate, Senator Padden, your willingness to allow us to proceed."

The President declared the question before the senate to be the motion by Senator Liias that the committees of the senate be granted special leave to meet during the day's session and the motion carried by voice vote.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 26, 2020

SHB 1009 Prime Sponsor, Committee on State Government & Tribal Relations: Addressing the state auditor's

duties and procedures. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

February 25, 2020

HB 1079 Prime Sponsor, Representative Pollet: Adding a faculty member to the board of regents at the research universities. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member and Brown.

Referred to Committee on Rules for second reading.

February 29, 2020

HB 1201 Prime Sponsor, Representative Kilduff: Concerning the Washington national guard postsecondary education grant program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Ways & Means.

February 29, 2020

2SHB 1645 Prime Sponsor, Committee on Human Services & Early Learning: Certifying parental improvement. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senator Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Schoesler; Warnick and Wilson, L.

FORTY SIXTH DAY, FEBRUARY 27, 2020

2020 REGULAR SESSION

Referred to Committee on Ways & Means.

February 25, 2020

HB 1702 Prime Sponsor, Representative Van Werven: Informing students of low-cost course materials for community and technical college courses. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Rules for second reading.

February 25, 2020

HB 1755 Prime Sponsor, Representative Leavitt: Allowing regional universities to offer doctorate level degrees in education. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Rules for second reading.

February 25, 2020

E3SHB 1775 Prime Sponsor, Committee on Appropriations: Protecting commercially sexually exploited children. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass as amended. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Cleveland; O'Ban; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Walsh, Ranking Member.

Referred to Committee on Ways & Means.

February 26, 2020

E2SHB 1783 Prime Sponsor, Committee on Appropriations: Creating the Washington state office of equity. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hawkins.

MINORITY recommendation: Do not pass. Signed by Senator Zeiger, Ranking Member.

Referred to Committee on Ways & Means.

February 26, 2020

2SHB 1888 Prime Sponsor, Committee on Appropriations: Protecting employee information from public disclosure. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

Referred to Committee on Ways & Means.

February 26, 2020

EHB 2008 Prime Sponsor, Representative Hudgins: Concerning alternate methods of ballot security. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

February 26, 2020

EHB 2228 Prime Sponsor, Representative Springer: Permitting early deployment of state fire service resources. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

Referred to Committee on Ways & Means.

February 26, 2020

HB 2229 Prime Sponsor, Representative Sullivan: Clarifying the scope of taxation on land development or management services. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

February 26, 2020

HB 2252 Prime Sponsor, Representative Thai: Concerning student health plans. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban, Ranking Member; Becker; Muzzall and Rivers.

Referred to Committee on Rules for second reading.

February 26, 2020

2SHB 2277 Prime Sponsor, Committee on Appropriations: Concerning youth solitary confinement.

Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 26, 2020

SHB 2326 Prime Sponsor, Committee on Health Care & Wellness: Reporting end-of-life care policies. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser; Muzzall and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban, Ranking Member and Becker.

Referred to Committee on Rules for second reading.

February 25, 2020

ESHB 2327 Prime Sponsor, Committee on College & Workforce Development: Addressing sexual misconduct at postsecondary educational institutions. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass as amended. Signed by Senators Randall, Chair; Stanford, Vice Chair and Liias.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy, Ranking Member and Brown.

Referred to Committee on Ways & Means.

February 25, 2020

SHB 2374 Prime Sponsor, Committee on Consumer Protection & Business: Preserving the ability of auto dealers to offer consumers products not supplied by an auto manufacturer. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Schoesler; Stanford; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Rules for second reading.

February 26, 2020

SHB 2384 Prime Sponsor, Committee on Finance: Concerning the property tax exemption for nonprofit organizations providing rental housing or mobile home park spaces to qualifying households. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass as amended. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Ways & Means.

February 25, 2020

SHB 2388 Prime Sponsor, Committee on Human Services & Early Learning: Standardizing definitions of homelessness to improve access to services. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 25, 2020

SHB 2394 Prime Sponsor, Committee on Public Safety: Concerning community custody. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass as amended. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 26, 2020

HB 2402 Prime Sponsor, Representative Hudgins: Streamlining legislative operations by repealing and amending selected statutory committees. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa; Hawkins and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall, Assistant Ranking Member Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

February 25, 2020

SHB 2417 Prime Sponsor, Committee on Public Safety: Concerning individuals serving community custody terms. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 26, 2020

SHB 2419 Prime Sponsor, Committee on Health Care & Wellness: Studying barriers to the use of the Washington death with dignity act. Reported by Committee on Health & Long Term Care

FORTY SIXTH DAY, FEBRUARY 27, 2020

2020 REGULAR SESSION

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban, Ranking Member; Becker and Muzzall.

February 26, 2020

Referred to Committee on Ways & Means.

HB 2545 Prime Sponsor, Representative Davis: Making jail records available to managed health care systems. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 25, 2020
SHB 2441 Prime Sponsor, Committee on Appropriations: Improving access to temporary assistance for needy families. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass as amended. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 26, 2020

ESHB 2565 Prime Sponsor, Committee on Environment & Energy: Concerning the labeling of disposable wipes products. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Das; Hobbs; Liias; McCoy; Nguyen; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Brown and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Assistant Ranking Member, Environment Sheldon, Assistant Ranking Member, Energy & Technology.

Referred to Committee on Rules for second reading.

February 26, 2020
HB 2512 Prime Sponsor, Representative Orwall: Concerning interest and penalty relief for qualified mobile home and manufactured home owners. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

February 25, 2020

ESHB 2576 Prime Sponsor, Committee on Public Safety: Concerning private detention facilities. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Zeiger.

Referred to Committee on Rules for second reading.

February 26, 2020
SHB 2527 Prime Sponsor, Committee on State Government & Tribal Relations: Concerning the rights of Washingtonians during the United States census. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Zeiger, Ranking Member and Hawkins.

Referred to Committee on Rules for second reading.

February 25, 2020

HB 2579 Prime Sponsor, Representative Dye: Establishing a wild horse holding and training program at Coyote Ridge corrections center. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 29, 2020
HB 2542 Prime Sponsor, Representative Paul: Concerning tuition waivers for children of eligible veterans. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

February 25, 2020

SHB 2614 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning paid family and medical leave. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Braun and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and Walsh.

Referred to Committee on Rules for second reading.

February 26, 2020

SHB 2634 Prime Sponsor, Committee on Finance: Exempting a sale or transfer of real property for affordable housing to a nonprofit entity, housing authority, or public corporation from the real estate excise tax. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Ways & Means.

February 26, 2020

HB 2677 Prime Sponsor, Representative Chopp: Sharing health insurance information to improve the coordination of benefits between health insurers and the health care authority. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Rules for second reading.

February 26, 2020

ESHB 2713 Prime Sponsor, Committee on State Government & Tribal Relations: Encouraging compost procurement and use. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Stanford and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Assistant Ranking Member, Environment and Short.

MINORITY recommendation: Do not pass. Signed by Senator Ericksen, Ranking Member.

Referred to Committee on Ways & Means.

February 26, 2020

HB 2739 Prime Sponsor, Representative Kloba: Adjusting certain requirements of the shared leave program. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

February 25, 2020

SHB 2794 Prime Sponsor, Committee on Human Services & Early Learning: Concerning juvenile record sealing. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass as amended. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of House Bill No. 2402 which had been designated to the Committee on Ways & Means and was referred to the Committee on Rules.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Kuderer moved adoption of the following resolution:

SENATE RESOLUTION

8697

By Senators Kuderer and Dhingra

WHEREAS, Women in Cloud celebrates female entrepreneurs in the tech industry as a source of inspiration and support that connects and empowers women throughout Washington and beyond; and

WHEREAS, Washington is home to many thriving tech companies; and

WHEREAS, Women in Cloud cultivates partnerships with innovative companies, leaders, and governments to advance the success of women in tech; and

WHEREAS, Women in Cloud strives to change industry narratives by creating economic access for women in the cloud economy; and

WHEREAS, The underrepresentation of women in tech leadership not only harms technological development, societal, and economic growth, but is also unacceptable in the 21st century; and

WHEREAS, Only ten percent of leadership positions in the tech industry are held by women and more than half of United States tech start-ups lack female representation on their boards; and

WHEREAS, Fifty-six percent of women in tech fields leave their positions midcareer, double the turnover rate for men; and

FORTY SIXTH DAY, FEBRUARY 27, 2020

2020 REGULAR SESSION

WHEREAS, Female mentorship in tech fosters valuable skills in communication, leadership, adaptation, and networking; and

WHEREAS, Inclusivity and representation empower young women and girls to pursue careers in tech; and

WHEREAS, Women in Cloud connects female entrepreneurs with leaders in business, tech, and politics to further opportunities for growth and mentorship; and

WHEREAS, Women in Cloud is partnering with global leaders and women entrepreneurs with an aim to create one billion dollars in economic access in the public and private sector by 2030; and

WHEREAS, Women in Cloud will expand their accelerator programs in 2020 to reach eight additional countries including India and Canada; and

WHEREAS, The 2021 Women in Cloud Summit will be an international event dedicated to uplifting women in tech across North America, India, Africa, and Europe;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the achievements of the Women in Cloud Initiative to foster opportunities for emerging women entrepreneurs and leaders in the tech field around the world.

Senator Kuderer 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 Kuderer carried and the resolution was adopted by voice vote.

MOTION

Senator Fortunato moved adoption of the following resolution:

SENATE RESOLUTION
8676

By Senators Fortunato and Padden

WHEREAS, Washington State is home to a vibrant Liberian community who contribute to the cultural, economic, and civic enrichment of the state; and

WHEREAS, The United States Congress recently recognized the invaluable relationship between these two great nations to reaffirm our ties and support for democratic principles in Liberia; and

WHEREAS, The country of Liberia has maintained strong historical, political, and economic ties to the United States for the past two hundred years with nearly 80,000 people of Liberian descent calling America home; and

WHEREAS, The Liberian people, although having faced significant adversity throughout their history, have sought to maintain the highest ideals of a free and democratic society; and

WHEREAS, Liberia celebrated its first peaceful transition of power since 1944 in the 2017 election; and

WHEREAS, The Liberian people have worked tirelessly to build and safeguard their liberty, rich history, and institutions; and

WHEREAS, The Liberian Association of Washington State was founded to help enhance the socioeconomic and educational well-being of its members, promote coexistence and cultural heritage among Liberians, and address the needs of Liberians facing challenges at home; and

WHEREAS, The United States and its citizens have supported investments in democratic institutions, education, health care, and the general welfare of the Liberian people;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the importance of continuing

a strong relationship with the Liberian people, and between our governments; and

BE IT FURTHER RESOLVED, That the Washington State Senate commend the individuals and groups working on behalf of the Liberian community to improve their lives, and the lives of their countrymen, through a strong civil society and the rule of law.

Senator Fortunato spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8676.

The motion by Senator Fortunato carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced dignitaries from Liberia and representatives of the Liberian Association of Washington (LAWS), including: The Honorable Gabriel Nmah, Deputy Director of the Liberian National Fire Service; Mr. Joseph F. Jarbah, President (LAWS); Mr. Bill Pah, Vice President; and Mr. Preston Tarr, Secretary, who were seated in the gallery.

MOTION

Senator Zeiger moved adoption of the following resolution:

SENATE RESOLUTION
8693

By Senators Zeiger and Das

WHEREAS, Ronald J. Shurer II was born on December 7, 1978, in Fairbanks, Alaska; and

WHEREAS, Staff Sergeant Shurer spent most of his childhood in Tacoma, Washington while his father was stationed at McChord Air Force Base; and

WHEREAS, Staff Sergeant Shurer graduated from Rogers High School in Puyallup, Washington in 1997 and Washington State University in 2001, where he received a bachelor's degree in business administration; and

WHEREAS, Staff Sergeant Shurer enlisted in the United States Army from Spokane, Washington in September 2002; and

WHEREAS, Staff Sergeant Shurer trained as an army medic and subsequently qualified to train as a Special Forces medic; and

WHEREAS, Staff Sergeant Shurer was deployed with Combined Joint Special Operations Task Force in Afghanistan from November 2007 to May 2008 in Operation Enduring Freedom; and

WHEREAS, Staff Sergeant Shurer participated in a joint U.S.-Afghan raid on April 6, 2008, designed to kill or capture Gulbuddin Hekmatyar, the leader of the Hezb-e Islami Gulbuddin in the Shok Valley of Nuristan Province in Afghanistan; and

WHEREAS, Staff Sergeant Shurer's team came under enemy machine gun, sniper, and rocket-propelled grenade fire while moving through the valley. The team suffered casualties and became pinned down on a mountainside; and

WHEREAS, Staff Sergeant Shurer ran through enemy fire to rescue wounded soldiers and returned fire, killing several insurgents; and

WHEREAS, Staff Sergeant Shurer treated a soldier who lost a leg, another who had RPG shrapnel in his neck, and helped evacuate the wounded to a medevac helicopter, at times using his body as a shield against debris; and

WHEREAS, Staff Sergeant Shurer was initially awarded the Silver Star for his role in the operation. In 2016, the Pentagon

conducted a review of all valor medals awarded since the 9/11 terror attacks and this resulted in Shurer's award being upgraded; and

WHEREAS, Staff Sergeant Shurer received the Medal of Honor from President Donald Trump on October 1, 2018, in a ceremony at the White House;

NOW, THEREFORE, BE IT RESOLVED, That in celebration of his bravery and dedication to his fellow soldiers, the Washington State Senate express its gratitude to Staff Sergeant Ronald J. Shurer II for his many services to our nation; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to the Shurer family, in recognition and appreciation of Shurer's commitment to the United States Army.

Senator Zeiger 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 Zeiger carried and the resolution was adopted by voice vote.

MOTION

Senator Randall moved adoption of the following resolution:

SENATE RESOLUTION 8698

By Senators Randall, Lovelett, Fortunato, and Das

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, Motorcyclists make up just about three percent of all registered vehicles but account for about fifteen percent of all traffic fatalities as of 2017; and

WHEREAS, The United States Department of Transportation's National Highway Traffic Safety Administration launched a Get Up to 20 Speed on Motorcycles campaign to help motorists learn how to drive safely around motorcycles in order to keep all roadway users safe; 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 and American Legion Riders, band together to support kids, veterans, and other vulnerable communities all around the state; and

WHEREAS, The month of May is recognized nationally and throughout the state as Motorcycle Safety Awareness Month;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate celebrate the month of May as Motorcycle Safety Awareness Month; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the

AAA Washington office, the ABATE of Washington office, Bikers Against Child Abuse, the representative of the Washington Road Riders Association, the headquarters of the Washington State Patrol, and the Washington State Department of Transportation.

Senator Randall 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 Randall carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members and representatives of A Brotherhood Against Totalitarian Enactments (ABATE), Washington including Ms. Louise Bentley, State Legislative Officer, ABATE Washington, who were seated in the gallery.

MOTION

Senator Warnick moved adoption of the following resolution:

SENATE RESOLUTION 8687

By Senators Warnick, Brown, Holy, Wilson, L., Zeiger, Muzzall, Honeyford, Saldaña, Liias, Schoesler, King, Sheldon, Van De Wege, Wagoner, Das, Becker, Hasegawa, and Fortunato

WHEREAS, Agriculture is a major part of Washington State economy generating over thirty billion dollars and creating over 164,000 jobs; and

WHEREAS, The United States and Washington are net exporters of food; and Washington State exports 6.7 billion dollars in agricultural products every year; and

WHEREAS, Farmers and ranchers produce the safest, most nutritious and abundant food supply ever known; and

WHEREAS, Washington's climate, soil, and water allow us to produce more food per acre than most anywhere else in the world; and

WHEREAS, Farmers and ranchers produce great yields despite having no control over weather and limited control over crop yields; and

WHEREAS, Farmers and ranchers are price takers – not price setters; and

WHEREAS, Farmers and ranchers put in many hours, sunup to sundown, making sure their crops and livestock are tended responsibly, taking time away from family and friends, foregoing vacations; and

WHEREAS, Such sacrifice can take a personal toll on each producer, yet they continue to steward the earth and seek new and sustainable ways to operate and preserve Washington's natural resources to feed consumers; and

WHEREAS, Ninety-five percent of Washington farms are family owned and operated; and

WHEREAS, Washington's farm families grow over three hundred different crops in both eastern and western Washington making our agriculture more diverse and more complex than almost any other state; and

WHEREAS, Washington produces and exports high quality Timothy and Alfalfa hay, and livestock including cattle, horses, and swine; and

WHEREAS, Washington is known worldwide for its production of potatoes, apples, hops, and blueberries; and

FORTY SIXTH DAY, FEBRUARY 27, 2020

2020 REGULAR SESSION

WHEREAS, Washington is also known for its innovative aquaculture and sustainable timber industry; and

WHEREAS, Our population directly involved in food production has dropped from ninety percent in the 1800's to just two percent today; and

WHEREAS, It is critical our population understand how our country's food supply is produced;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize our agricultural producers for the hard work they have done and the many sacrifices they have made for our communities, our country, and the world.

BE IT FURTHER RESOLVED, Washington State Senate feels the need to honor and appreciate our agriculture producers for their efforts to educate the public and improve the future for our agriculture producers of Washington State now and forever.

Senators Warnick 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. 8687.

The motion by Senator Warnick carried and the resolution was adopted by voice vote.

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION
8695

By Senators Pedersen, Takko, Mullet, Frockt, Hunt, Das, Keiser, Salomon, Stanford, Van De Wege, Cleveland, Hasegawa, Brown, Walsh, Schoesler, Liias, and Fortunato

WHEREAS, In January of 1919, the Republic of Poland and the United States established diplomatic relations with the hope of the betterment of political, economic, religious, and human rights for both countries; and

WHEREAS, The first Polish ambassador to the United States, Prince Kazimierz Lubomirski, presented his credentials to President Woodrow Wilson on May 15, 1920; and

WHEREAS, Over the decades, the strength of Polish-American relations varied, enduring the Cold War; and

WHEREAS, Upon the fall of communism, Poland regained full sovereignty and joined the North Atlantic Treaty Organization (NATO) and the European Union (EU); and

WHEREAS, Poland's decision to align itself with the western democracy further strengthened the Polish-American diplomatic relations, opening a new platform for economic and cultural growth; and

WHEREAS, As the tenth largest European economy, Poland is a sizeable and important commercial partner of the United States in Central Europe; and

WHEREAS, The Polish-American economic and cultural connection lies within strong student exchange programs and growing business and trade relations; and

WHEREAS, There are an estimated nine million Poles living in the United States, with Washington State having its own large Polish population of one hundred twenty-seven thousand; and

WHEREAS, Polish Home Association (Polish Cultural Center) in Seattle was established in 1918 to provide immigrants with programs and services to help Poles adapt to their new lives in America; and

WHEREAS, The Polish Cultural Center has focused on education, cultural, and economic support services for more than

one hundred years, fostering a strong Polish-American community; and

WHEREAS, The Polish community in the year 2000 established the Seattle Polish Foundation, an organization devoted to fostering interest in Polish heritage and spreading awareness of the accomplishments of Polish-Americans; and

WHEREAS, In the State of Washington, in 2003, the University of Washington Polish Studies Endowment Committee was founded with the goal of cultivating, enhancing, and promoting the understanding of the Polish language, culture, and arts;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the State of Washington commemorate one hundred years of diplomatic relations between Poland and the United States; and

BE IT FURTHER RESOLVED, That the members of the strong Polish-American community in the State of Washington be recognized for the work they have done to preserve their culture and heritage and to contribute to the local society.

Senator 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. 8695.

The motion by Senator Liias carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced dignitaries from Poland and representatives of the Polish-American community in Washington including The Honorable Jaroslaw Lasinski, Consul General, Consulate General of Poland in Los Angeles; Ms. Teresa Indelak Davis, Honorary Consul of Poland in Seattle; and the Polish Home Association Board members and the Seattle Polish Foundation Board members who were seated in the gallery.

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION
8700

By Senator Liias

WHEREAS, Claire Beach began her career promoting media literacy in the 1980s in Boston, running a city-wide youth program called "The Demystification of Television," which broke down the audience and message of commercials; and

WHEREAS, This led Claire to a career in documentary filmmaking where she worked on films about peace issues with other women, their work then being immortalized in the Harvard Library; and

WHEREAS, Inspired by the birth of her son Jesse in 1987, she honed her focus on media literacy, producing and hosting a live public affairs show on violence in children's television which won a Commonwealth of Massachusetts outstanding Public Affairs Program Award; and

WHEREAS, Claire began her teaching career in the Seattle and Edmonds communities in 1995, and is a valuable and beloved member of the Edmonds community, having inspired and impacted the lives of hundreds of students over her many years of service; and

WHEREAS, As a teacher, artist, and activist who has consistently worked to lift up the voices and experiences of young people, Claire has imparted to her students a way of thinking that

encourages critical analysis, courageous conversations about difficult topics, and art as a form of social change; and

WHEREAS, Claire has a sincere passion for and deep knowledge of the field of media literacy and scholarship, and understands the importance of teaching students how to evaluate films, TV, print news, and other media for accuracy, messaging, and value; and

WHEREAS, Claire's love for media literacy and her students led to her becoming a member, and later the president, of Action for Media Education, where she worked on several media literacy-based projects and grants through the Washington State Department of Health; and

WHEREAS, This passion led Claire to engage with her representatives in the Legislature on the issue, and as a result of her tireless efforts to expand access to media literacy curricula for students in her district and across the state, Washington has been recognized as a leader among all fifty states in the realm of media literacy education, developing a national model for helping students develop the skills to navigate an increasingly digitized world and become engaged, informed, and empowered 21st century citizens; and

WHEREAS, In 2017, Claire began a new fight against ovarian cancer, but has refused to let her work in the classroom stop, continuing to serve as a substitute saying "chemo heals my cancer, teaching heals my soul"; and

WHEREAS, Claire views her work with young people as a part of her healing and has drawn strength from continuing to teach even after her diagnoses and treatments;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize the incredible contributions that Claire Beach has made to our state as a result of her tireless advocacy and efforts to improve media literacy in Washington, resulting in our state creating one of the most comprehensive media literacy programs in the country; and

BE IT FURTHER RESOLVED, That we express our profound admiration for Claire's strength in the face of her illness and that we send her strength and fortitude as she continues her work teaching the next generation about the importance of media literacy and digital citizenship; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Claire Beach and her son Jesse Douglas-Tesch.

Senators Liias and Short 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 Liias carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Ms. Claire Beach who was seated in the gallery.

REMARKS BY THE PRESIDENT

President Habib: "Thank you to the secretary for reading these resolutions in their entirety. It is not often that we have this many resolutions in one day, in one time, and read in full. So, thank you very much for that."

MOTION

At 11:30 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:45 a.m. by President Habib.

MOTION

Senator Hasegawa moved adoption of the following resolution:

SENATE RESOLUTION 8701

By Senators Hasegawa, Saldaña, Conway, and Wagoner

WHEREAS, The United States Government tested 67 atmospheric nuclear weapons in the Marshall Islands from 1946-1958 during the time that the United States was the administering authority for the Trust Territory of the Pacific Islands; and

WHEREAS, Much of the plutonium that served as the energy source for the nuclear weapons detonated in the Marshall Islands was processed at Hanford, thus creating a link between the Marshallese people and the people of Washington state; and

WHEREAS, The "Bravo" test on Bikini Atoll on March 1, 1954, was the equivalent of 1,000 Hiroshima-sized bombs, and the Marshallese people experienced the equivalent of 1.6 Hiroshima-sized bombs every day for the twelve years of the testing program; and

WHEREAS, The Marshallese people and their islands became a living laboratory for nuclear weapons designers to better understand the impacts of radioactive weaponry on human beings and their environment, including the top secret biomedical program, Project 4.1; and

WHEREAS, Project 4.1 established an internment camp on Kwajalein Atoll for the people exposed to radioactive fallout from the Bravo test, and established numerous biomedical studies, such as the purposeful resettlement of Marshallese people on radioactive islands to study human uptake of radiation from the environment; and

WHEREAS, The Marshallese experience numerous challenges today connected to the United States nuclear legacy, such as communities that cannot return to their ancestral lands because of lingering contamination, those who were prematurely resettled on contaminated lands, and health care issues related to radiation exposure and diaspora, including cancer and other radiogenic illnesses; and

WHEREAS, There are no oncologists in the Marshall Islands today, nor is there a cancer care treatment facility, and thus the Government of the Republic of the Marshall Islands is hoping to build relationships with Washington state's world class cancer research and treatment facilities; and

WHEREAS, The termination of the Trust Territory of the Pacific Islands in 1986 resulted in the Compact of Free Association between the United States and the Republic of the Marshall Islands, the Federated States of Micronesia, and later Palau, collectively known as the "COFA" nations; and

WHEREAS, As a result of the unique and historical relationship between the citizens of the former United States trust territory, residents under the COFA treaty currently serve in every branch of the United States armed forces, and have the right to enter, live, and work in the United States without a visa; and

WHEREAS, COFA community members reside in numerous counties across Washington state and are advocating for equity in terms of eligibility for federal assistance programs for other legal migrants, such as Medicaid and food stamps; and

FORTY SIXTH DAY, FEBRUARY 27, 2020

2020 REGULAR SESSION

INTRODUCTION OF SPECIAL GUESTS

WHEREAS, The Marshallese people are consummate survivors whose culture continues to thrive, including the ground zero communities of Bikini and Enewetak who remain some of the most gifted open ocean navigators, voyagers, and weavers in the world; and

WHEREAS, The upcoming March 1st anniversary of the Bravo detonation is a national holiday and day of mourning and remembrance for the Republic of the Marshall Islands;

NOW, THEREFORE, BE IT RESOLVED, That the Senate pause to acknowledge the painful and damaging legacy of United States nuclear weapons testing in the Marshall Islands, and stand in support of our Marshallese community members across Washington State on the March 1st anniversary of the Bravo detonation.

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. 8701.

The motion by Senator Hasegawa carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced dignitaries and representatives of U.S. partner states of the Compact of Free Association (COFA) nations including: The Honorable Joe Enlet, Consul General, Federated States of Micronesia; Ms. Babea Milne, Marshall Islands Elder; Dr. Holly Barker, Commissioner, Marshall Islands National Nuclear Commission; Ms. Anna Kahn, a victim of the nuclear testing done on the Marshall Islands; Mr. Jon Gould, COFA Alliance volunteer advisory member; and COFA Alliance National Network of Washington members who were seated in the gallery.

The President welcomed and introduced the Marshall Islands choral of the United Church of Christ in Everett who were present in the gallery.

With leave of the senate, business was suspended to allow the Marshall Islands chorale group to perform a song from the gallery.

PERSONAL PRIVILEGE

Senator Hasegawa: "I just wanted to note that the English translation for that song is on your desks, everybody's desks here. And, that was the community's way of saying thank you to us all. Thank you."

The senate rose and recognized the performance of the Marshall Island chorale group.

PERSONAL PRIVILEGE

Senator Short: "I rise to introduce the Senate to the Stampede Queen for 2020. Shelby White is currently a senior at Liberty High School. She is a life-long resident of Twisp, Washington. She is also in Running Start as a sophomore at Wenatchee Valley College. She is very athletic and very outdoor-oriented, and I can tell you that we're so proud of her in her journey thus far. In 2018 she was the Okanogan County Fair Queen and in 2019 she was Winthrop '49er Days Princess, but I can tell you the Stampede represents just a combination of rodeo industry and culture between the Colville Confederated Tribes and Omak and several of you have been. It's always the second week in August and we are just so proud to have Shelby join us today."

The President welcomed and introduced Miss Shelby White, Miss Omak Stampede, 2020 who was seated in the gallery.

MOTION

At 11:58 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

AFTERNOON SESSION

The Senate was called to order at 1:06 p.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6168, by Senators Rolfes and Braun

Making 2019-2021 fiscal biennium supplemental operating appropriations.

MOTION

On motion of Senator Liias, Substitute Senate Bill No. 6168 was substituted for Senate Bill No. 6168 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Schoesler moved that the following floor amendment no. 1184 by Senator Schoesler be adopted:

On page 2, line 6, decrease the General Fund—State Appropriation (FY 2020) by \$25,000

On page 2, line 8, decrease the General Fund—State Appropriation (FY 2021) by \$100,000

Adjust the total appropriation accordingly.

On page 2, at the beginning of line 15, strike "(1)"

On page 2, beginning on line 21, strike all of subsection (2)

On page 2, line 31, decrease the General Fund—State Appropriation (FY 2020) by \$25,000

On page 2, line 33, decrease the General Fund—State Appropriation (FY 2021) by \$100,000

Adjust the total appropriation accordingly.

On page 3, beginning on line 14, strike all of subsection (3)

Senators Schoesler and Short spoke in favor of adoption of the amendment.

Senators Rolfes and Hasegawa spoke against adoption of the amendment.

Senator Short 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 the amendment by Senator Schoesler on page 2, line 6 to Substitute Senate Bill No. 6168.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Schoesler and the amendment was not adopted by the following vote: Yeas, 22; Nays, 26; Absent, 1; Excused, 0.

Voting yea: Senators Becker, Braun, Brown, Fortunato, Hawkins, Hobbs, Holy, Honeyford, King, Mullet, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Absent: Senator Ericksen.

MOTION

Senator Rolfes moved that the following floor amendment no. 1179 by Senator Rolfes be adopted:

On page 8, line 28, increase the General Fund—State Appropriation (FY 2021) by \$100,000

Adjust the total appropriation accordingly.

On page 11, after line 34, insert the following:

"(18) \$100,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5984 (dissolution/doc. language). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse."

The President declared the question before the Senate to be the adoption of floor amendment no. 1179 by Senator Rolfes on page 8, line 28 to Substitute Senate Bill No. 6168.

The motion by Senator Rolfes carried and floor amendment no. 1179 was adopted by voice vote.

MOTION

Senator Rivers moved that the following floor amendment no. 1201 by Senator Rivers be adopted:

On page 13, line 35, increase the General Fund—State Appropriation (FY 2021) by \$139,000

Adjust the total appropriation accordingly.

On page 16, after line 16, insert the following:

"(14) \$139,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for an assistant director position at the office."

Senator Rivers spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1201 by Senator Rivers on page 13, line 35 to Substitute Senate Bill No. 6168.

The motion by Senator Rivers did not carry and floor amendment no. 1201 was not adopted by voice vote.

MOTION

Senator Schoesler moved that the following floor amendment no. 1185 by Senator Schoesler be adopted:

On page 16, line 21, decrease the General Fund—State Appropriation (FY 2020) by \$397,000

On page 16, line 23, decrease the General Fund—State Appropriation (FY 2021) by \$353,000

Adjust the total appropriation accordingly.

On page 17, beginning on line 11, after "(4)" strike all material through "(5)" on line 21 and insert "~~(\$375,000 of the general fund state appropriation for fiscal year 2020 and \$375,000 of the general fund state appropriation for fiscal year 2021 are provided solely for the office to contract with a neutral third party to establish a process for local, state, tribal, and federal leaders and stakeholders to address issues associated with the possible breaching or removal of the four lower Snake river dams in order to recover the Chinook salmon populations that serve as a vital food source for southern resident orcas. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.~~

~~(5))~~"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 298, line 14, increase the General Fund—State Appropriation (FY 2021) by \$750,000

Adjust the total appropriation accordingly.

On page 306, after line 5, insert the following:

"(35) \$750,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the department to provide a grant to the Muckelshoot tribe for a new fish hatchery."

Senators Schoesler and Short spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

Senator Short 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 the amendment by Senator Schoesler on page 16, line 21 to Substitute Senate Bill No. 6168.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Schoesler and the amendment was not adopted by the following vote: Yeas, 22; Nays, 27; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Takko moved that the following floor amendment no. 1181 by Senators Takko and Van De Wege be adopted:

On page 16, line 26, increase the Economic Development Strategic Reserve Account—State Appropriation by \$3,000,000.

FORTY SIXTH DAY, FEBRUARY 27, 2020

2020 REGULAR SESSION

Adjust the total appropriation accordingly.

On page 487, after line 27, insert the following:

"General Fund: For transfer to the economic development strategic reserve account, \$1,000,000 for fiscal year 2021 . . . \$1,000,000"

Senators Takko and Braun spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1181 by Senators Takko and Van De Wege on page 16, line 26 to Substitute Senate Bill No. 6168.

The motion by Senator Takko carried and floor amendment no. 1181 was adopted by voice vote.

MOTION

Senator Ericksen moved that the following floor amendment no. 1202 by Senator Ericksen be adopted:

On page 17, line 17, after "dams" insert "and the Hiram M. Chittenden locks"

Senator Ericksen spoke in favor of adoption of the amendment. Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1202 by Senator Ericksen on page 17, line 17 to Substitute Senate Bill No. 6168.

The motion by Senator Ericksen did not carry and floor amendment no. 1202 was not adopted by voice vote.

MOTION

Senator Braun moved that the following floor amendment no. 1197 by Senator Braun be adopted:

On page 20, line 20, increase the General Fund-State Appropriation (FY 2021) by \$75,000.

Adjust the total appropriation accordingly.

On page 24, after line 2, insert the following:

"(16) \$75,000 of the general fund-state appropriation for fiscal year 2021 is provided solely for general election costs for Substitute Senate Joint Resolution No. 8212 (investment of LTC funds). If the resolution is not enacted by June 30, 2020, the amount provided in this subsection shall lapse."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senators Braun and Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1197 by Senator Braun on page 20, line 20 to Substitute Senate Bill No. 6168.

The motion by Senator Braun carried and floor amendment no. 1197 was adopted by voice vote.

MOTION

Senator Fortunato moved that the following floor amendment no. 1193 by Senator Fortunato be adopted:

On page 57, line 16, after "safety," insert "be located on a site that prohibits the use of alcohol and illegal drugs on its premises."

On page 59, line 22, after "grants," insert "In order to receive funds, grantees must certify that the use of alcohol and illegal drugs is prohibited at their service locations."

Senators Fortunato and Wagoner spoke in favor of adoption of the amendment.

Senators Kuderer and Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1193 by Senator Fortunato on page 57, line 16 to Substitute Senate Bill No. 6168.

The motion by Senator Fortunato did not carry and floor amendment no. 1193 was not adopted by a rising vote.

MOTION

Senator Schoesler moved that the following floor amendment no. 1183 by Senator Schoesler be adopted:

On page 72, after line 19, insert the following:

"(22) In order to facilitate the taxpayers' understanding of public employee bargaining and its fiscal impact on the state budget, collective bargaining negotiations under chapter 41.80 RCW conducted by the office using funds provided in this section must be open for public observation and follow the requirements for conducting open public meetings under chapter 42.30 RCW."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 507, after line 24, insert the following:

"Sec. 925. RCW 42.30.140 and 1990 c 98 s 1 are each amended to read as follows:

If any provision of this chapter conflicts with the provisions of any other statute, the provisions of this chapter shall control: PROVIDED, That this chapter shall not apply to:

(1) The proceedings concerned with the formal issuance of an order granting, suspending, revoking, or denying any license, permit, or certificate to engage in any business, occupation, or profession or to any disciplinary proceedings involving a member of such business, occupation, or profession, or to receive a license for a sports activity or to operate any mechanical device or motor vehicle where a license or registration is necessary; or

(2) That portion of a meeting of a quasi-judicial body which relates to a quasi-judicial matter between named parties as distinguished from a matter having general effect on the public or on a class or group; or

(3) Matters governed by chapter 34.05 RCW, the Administrative Procedure Act; or

(4)(a) Except for agreements negotiated under chapter 41.80 RCW during the 2019-2021 fiscal biennium, collective bargaining sessions with employee organizations, including contract negotiations, grievance meetings, and discussions relating to the interpretation or application of a labor agreement; or (b) that portion of a meeting during which the governing body is planning or adopting the strategy or position to be taken by the governing body during the course of any collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the technical portion of the title.

Senators Schoesler and Short spoke in favor of adoption of the amendment.

Senator Keiser spoke against adoption of the amendment.

Senator Short 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 the amendment by Senator Schoesler on page 72, after line 19 to Substitute Senate Bill No. 6168.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Schoesler and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Honeyford moved that the following floor amendment no. 1203 by Senator Honeyford be adopted:

On page 75, line 14, increase the General Fund—State Appropriation (FY 2021) by \$166,000

Adjust the total appropriation accordingly.

On page 82, after line 12, insert the following:

"(17) \$166,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for implementation of Substitute House Bill No. 1457 (aircraft fuel tax distributions). If the bill is not enacted by June 30, 2020, the amount provided in this subsection shall lapse."

Senators Honeyford, Keiser and Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1203 by Senator Honeyford on page 75, line 14 to Substitute Senate Bill No. 6168.

The motion by Senator Honeyford carried and floor amendment no. 1203 was adopted by voice vote.

MOTION

Senator Fortunato moved that the following floor amendment no. 1190 by Senator Fortunato be adopted:

On page 82, after line 12, insert the following:

"(17) Amounts provided in this section include sufficient funding for implementation of Senate Bill No. 6041 (motor vehicle sales tax)."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senators Fortunato and Braun spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1190 by Senator Fortunato on page 82, after line 12 to Substitute Senate Bill No. 6168.

The motion by Senator Fortunato did not carry and floor amendment no. 1190 was not adopted by voice vote.

MOTION

Senator O'Ban moved that the following floor amendment no. 1195 by Senators O'Ban and Rivers be adopted:

On page 82, after line 12, insert the following:

"(17)(a) By December 1, 2020, the department of revenue, using the November 2020 revenue forecast shall calculate the increase from the February 2020 revenue forecast in forecasted revenues to be deposited in the general fund, education legacy trust account, Washington opportunity pathways account, and workforce education investment account.

(b) By December 31, 2020, the department of revenue must notify the treasurer of the amount calculated in (a) of this subsection. The treasurer shall transfer the amount from the state general fund to the state property tax reduction account hereby created in the state treasury. Amounts in the account may be expended only for the purpose of reducing the state property tax rate imposed by RCW 84.52.065(2)(a)."

Senator O'Ban spoke in favor of adoption of the amendment.

Senator O'Ban demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senators Becker, Ericksen, Zeiger, Padden, Braun, Fortunato, Wilson, L. and Rivers spoke in favor of adoption of the amendment.

Senators Billig and Liias spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senators O'Ban and Rivers on page 82, after line 12 to Substitute Senate Bill No. 6168.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senators O'Ban and Rivers and the amendment was not adopted by the following vote: Yeas, 22; Nays, 27; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Mullet, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Rivers moved that the following floor amendment no. 1210 by Senators Braun, King, Rivers and Walsh be adopted:

On page 86, line 25, increase the appropriation by \$1,000,000.

On page 90, after line 4, insert the following:

FORTY SIXTH DAY, FEBRUARY 27, 2020

2020 REGULAR SESSION

"(14) \$1,000,000 of the general fund-state appropriation for fiscal year 2021 is provided solely for the liquor and cannabis board to hire additional enforcement officers for the enforcement and regulation of vapor products, including youth prevention efforts to reduce access of vapor products by persons under the age of eighteen."

Senator Rivers spoke in favor of adoption of the amendment.
Senator Keiser spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1210 by Senators Braun, King, Rivers and Walsh on page 86, line 25 to Substitute Senate Bill No. 6168.

The motion by Senator Rivers did not carry and floor amendment no. 1210 was not adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Honeyford and without objection, floor amendment no. 1212 by Senator Honeyford on page 100, line 24 to Substitute Senate Bill No. 6168 was withdrawn.

MOTION

Senator Sheldon moved that the following floor amendment no. 1194 by Senator Sheldon be adopted:

On page 101, after line 24, insert the following:

"(14) Whenever a payment of two million dollars or more is made from the liability account under RCW 4.92.130 for a settlement or judgment for the tortious conduct of the state's officers, employees, or volunteers dating from tortious conduct in calendar year 2010 or later, the appropriate policy and fiscal committees of the legislature shall, within twelve months of the payment, conduct a joint hearing for the purposes of:

(a) Receiving a report from the attorney general, the office of risk management, and the agency on which behalf the payment was made. The report shall describe the factual events and legal context that resulted in the payment; and

(b) Considering potential modifications to state practices and policies to prevent or reduce future state liability for tortious conduct. The information presented at the hearing must be consistent with the protections afforded by the attorney-client privilege and the attorney work product doctrine."

Senators Sheldon, Padden, Walsh, Braun, Becker and Brown spoke in favor of adoption of the amendment.

Senator Frockt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1194 by Senator Sheldon on page 101, after line 24 to Substitute Senate Bill No. 6168.

The motion by Senator Sheldon did not carry and floor amendment no. 1194 was not adopted by a rising vote.

MOTION

Senator Wilson, L. moved that the following floor amendment no. 1204 by Senator Wilson, L. be adopted:

On page 101, after line 24, insert the following:

"(14) The state building code council shall delay implementation of the Washington state energy code for residential structures, 2018 edition. The state building code council must review and amend the Washington state energy code for residential structures, 2018 edition, by January 1, 2021, for implementation by July 1, 2021. The review and amendments to

the Washington state energy code for residential structures, 2018 edition, must be for the purpose of reducing construction costs and providing the least burdensome alternatives for compliance. The state building code council may not increase, but may decrease, the energy efficiency requirements in the Washington state energy code for residential structures, 2018 edition."

Senator Wilson, L. spoke in favor of adoption of the amendment.

Senator Liias spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1204 by Senator Wilson, L. on page 101, after line 24 to Substitute Senate Bill No. 6168.

The motion by Senator Wilson, L. did not carry and floor amendment no. 1204 was not adopted by voice vote.

MOTION

Senator Van De Wege moved that the following floor amendment no. 1189 by Senators Kuderer, Stanford and Van De Wege be adopted:

On page 107, after line 14, insert the following:

"Sec. 150. 2019 c 415 s 141 (uncodified) is amended to read as follows:

FOR THE LAW ENFORCEMENT OFFICERS' AND FIREFIGHTERS' PLAN 2 RETIREMENT BOARD

General Fund—State Appropriation (FY 2020)	\$50,000
Law Enforcement Officers' and Firefighters' Plan 2 Expense NonAppropriated Fund—State Appropriation	\$50,000
TOTAL APPROPRIATION	\$100,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The \$50,000 general fund-state appropriation in this section is for the law enforcement officers' and firefighters' retirement system plan 2 board to study the tax, legal, fiscal, policy, and administrative issues related to allowing tribal law enforcement officers to become members of the law enforcement officers' and firefighters' plan 2 retirement system. This funding is in addition to other expenditures in the nonappropriated law enforcement officers' and firefighters' retirement system plan 2 expense account. In preparing this study, the department of retirement systems, the attorney general's office, and the office of the state actuary shall provide the board with any information or assistance the board requests. The board shall also receive stakeholder input as part of its deliberation. The board shall submit a report of the results of this study to the legislature by January 1, 2020.

(2) \$50,000 of the law enforcement officers' and firefighters' plan 2 expense nonappropriated fund—state appropriation is provided solely for a study of the pension benefits provided to emergency medical technicians providing services in King county between October 1, 1978 and January 1, 2003. The board shall examine the legal and fiscal implications of extending membership in the plan for these periods, including King county employers that might be included, the benefits that would be paid to members on a prospective and retroactive basis, and the contribution requirements and plan liability that would be created for employers, employees, and the state."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Corrects the technical portion of the title.

Senators Van De Wege and Braun spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1189 by Senators Kuderer, Stanford and Van De Wege on page 107, after line 14 to Substitute Senate Bill No. 6168.

The motion by Senator Van De Wege carried and floor amendment no. 1189 was adopted by voice vote.

MOTION

Senator Braun moved that the following floor amendment no. 1198 by Senator Braun be adopted:

On page 119, line 19, decrease the General Fund—State Appropriation (FY 2020) by \$291,000

On page 119, line 21, decrease the General Fund—State Appropriation (FY 2021) by \$1,248,000

On page 119, line 23, decrease the General Fund—Federal Appropriation by \$355,000

Adjust the total appropriation accordingly.

On page 129, line 31, decrease the General Fund—State Appropriation (FY 2021) by \$927,000

On page 129, line 33, decrease the General Fund—State Appropriation (FY 2021) by \$1,942,000

On page 129, line 35, decrease the General Fund—Federal Appropriation by \$2,499,000

Adjust the total appropriation accordingly.

Senator Braun spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1198 by Senator Braun on page 119, line 19 to Substitute Senate Bill No. 6168.

The motion by Senator Braun did not carry and floor amendment no. 1198 was not adopted by voice vote.

MOTION

Senator O'Ban moved that the following floor amendment no. 1196 by Senator O'Ban be adopted:

On page 129, line 31, increase the General Fund—State Appropriation (FY 2020) by \$5,323,000

On page 129, line 33, increase the General Fund—State Appropriation (FY 2021) by \$5,418,000

On page 129, line 35, increase the General Fund—Federal Appropriation by \$10,741,000

Adjust the total appropriation accordingly.

On page 140, beginning on line 20, strike all of subsection (36) and insert the following:

"(36) \$7,832,000 of the general fund—state appropriation for fiscal year 2020, \$27,072,000 of the general fund—state appropriation for fiscal year 2021, and \$34,904,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 6396 (skilled nursing/rebase). If the bill is not enacted by June 30, 2020, the amounts provided in this subsection shall lapse."

Senator O'Ban spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1196 by Senator O'Ban on page 129, line 31 to Substitute Senate Bill No. 6168.

The motion by Senator O'Ban did not carry and floor amendment no. 1196 was not adopted by voice vote.

MOTION

Senator Becker moved that the following floor amendment no. 1178 by Senator Becker be adopted:

On page 129, line 33, increase the General Fund—State Appropriation (FY 2021) by \$1,364,000

On page 129, line 35, increase the General Fund—Federal Appropriation by \$1,633,000

Adjust the total appropriation accordingly.

On page 140, after line 37, insert the following:

"(37) \$1,364,000 of the general fund—state appropriation for fiscal year 2021 and \$1,633,000 of the general fund—federal appropriation are provided solely to increase contracted medicaid rates for assisted living specialized dementia care."

Senators Becker and Walsh spoke in favor of adoption of the amendment.

Senator Van De Wege spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1178 by Senator Becker on page 129, line 33 to Substitute Senate Bill No. 6168.

The motion by Senator Becker did not carry and floor amendment no. 1178 was not adopted by voice vote.

MOTION

Senator Brown moved that the following floor amendment no. 1199 by Senator Brown be adopted:

On page 152, line 31, decrease the General Fund—State Appropriation (FY 2020) by \$54,000

On page 152, line 33, decrease the General Fund—State Appropriation (FY 2021) by \$163,000

On page 152, line 35, decrease the General Fund—Federal Appropriation by \$349,000

Adjust the total appropriation accordingly.

On page 507, after line 24, insert the following:

"Sec. 925. RCW 43.20B.020 and 1991 c 3 s 295 are each amended to read as follows:

The department of social and health services and the department of health are authorized to charge fees for services provided unless otherwise prohibited by law. The fees may be sufficient to cover the full cost of the service provided if practical or may be charged on an ability-to-pay basis if practical. This section does not supersede other statutory authority enabling the assessment of fees by the departments. Whenever the department of social and health services is authorized by law to collect total or partial reimbursement for the cost of its providing care of or exercising custody over any person, the department shall collect the reimbursement to the extent practical. During the 2019-2021 fiscal biennium, the department of health must not raise existing fees for newborn screening when the fee increase is not related to a specific additional test. It is the intent of the legislature to control costs to parents of newborns and births covered by medicaid by limiting the fee increases during this period."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, at the beginning of line 3 of the title, strike "and 43.31.502" and insert "43.31.502, and 43.20B.020"

Senators Brown and Becker spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

FORTY SIXTH DAY, FEBRUARY 27, 2020

2020 REGULAR SESSION

The President declared the question before the Senate to be the adoption of floor amendment no. 1199 by Senator Brown on page 152, line 31 to Substitute Senate Bill No. 6168.

The motion by Senator Brown did not carry and floor amendment no. 1199 was not adopted by voice vote.

MOTION

Senator Rivers moved that the following floor amendment no. 1205 by Senator Rivers be adopted:

On page 165, line 28, after "transparency)" insert "with up to an additional year for initial reporting due within the 2019-2021 biennium"

Senators Rivers and Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1205 by Senator Rivers on page 165, line 28 to Substitute Senate Bill No. 6168.

The motion by Senator Rivers carried and floor amendment no. 1205 was adopted by voice vote.

MOTION

Senator Mullet moved that the following floor amendment no. 1187 by Senator Mullet be adopted:

On page 177, after line 13, insert the following:

"(74) Within the amounts appropriated within this section, the authority shall implement Substitute Senate Bill No. 6534 (ambulance quality assurance fee). The authority is directed to submit a state plan amendment (SPA) pursuant to the terms of Substitute Senate Bill No. 6534 without delay once the bill becomes effective. Upon approval from the centers for medicare and medicaid services (CMS) of the state plan amendment, the authority is directed to implement a fifteen percent increase to ground emergency medical transportation base rates. If the bill is not enacted by June 30, 2020, or if the state plan amendment is not approved by the centers for medicare and medicaid services, the amounts provided in this subsection shall lapse."

Senator Mullet spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1187 by Senator Mullet on page 177, after line 13 to Substitute Senate Bill No. 6168.

The motion by Senator Mullet carried and floor amendment no. 1187 was adopted by voice vote.

MOTION

Senator Holy moved that the following floor amendment no. 1206 by Senator Holy be adopted:

On page 204, line 31, increase the General Fund—State Appropriation (FY 2021) by \$3,000,000

Adjust the total appropriation accordingly.

On page 207, after line 17, insert the following:

"(13) \$3,000,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the Washington association of sheriffs and police chiefs to administer the sexual assault kit initiative project under RCW 36.28A.430, to assist multidisciplinary community response teams seeking resolutions to cases tied to previously unsubmitted sexual assault kits, and to provide support to survivors of sexual assault offenses. The

commission must report to the governor and the chairs of the senate committee on ways and means and the house of representatives committee on appropriations by June 30, 2021, on the number of sexual assault kits that have been tested, the number of kits remaining to be tested, the number of sexual assault cases that had hits to other crimes, the number of cases that have been reinvestigated, the number of those cases that were reinvestigated using state funding under this appropriation, and the local jurisdictions that were a recipient of a grant under the sexual assault kit initiative project."

Senator Holy spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Holy and without objection, floor amendment no. 1206 by Senator Holy on page 204, line 31 to Substitute Senate Bill No. 6168 was withdrawn.

MOTION

Senator Ericksen moved that the following floor amendment no. 1207 by Senator Ericksen be adopted:

On page 208, line 8, increase the Medical Aid Account-State Appropriation by \$150,000.

Adjust the total appropriation accordingly.

On page 212, line 7, after "facilities." insert "In addition, \$150,000 of the medical aid account-state appropriation is provided solely to process apprenticeship program applications from workers in high hazard facilities that have been submitted to the department after the passage of Engrossed Substitute House Bill No. 1817 and to ensure that decisions completed applications occur within six months of their submission."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senators Ericksen and King spoke in favor of adoption of the amendment.

Senator Keiser spoke against adoption of the amendment.

Senator Ericksen 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 the amendment by Senator Ericksen on page 208, line 8 to Substitute Senate Bill No. 6168.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Ericksen and the amendment was not adopted by the following vote: Yeas, 24; Nays, 25; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Lovelett, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick, Wellman, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Van De Wege and Wilson, C.

MOTION

Senator Rolfes moved that the following floor amendment no. 1180 by Senator Rolfes be adopted:

On page 218, line 12, increase the General Fund-State Appropriation (FY 2020) by \$5,000,000.

Adjust the total appropriation accordingly.

On page 238, line 1, strike "\$5,000,000" and insert "\$10,000,000"

On page 238, line 13, after "subsection.", strike "\$3,614,000" and insert "\$8,614,000"

Senators Rolfes and Braun spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1180 by Senator Rolfes on page 218, line 12 to Substitute Senate Bill No. 6168.

The motion by Senator Rolfes carried and floor amendment no. 1180 was adopted by voice vote.

MOTION

Senator Braun moved that the following floor amendment no. 1200 by Senator Braun be adopted:

On page 260, line 31, increase the General Fund—State Appropriation (FY 2020) by \$1,127,000

Adjust the total appropriation accordingly.

On page 265, after line 34, insert the following:

"(q) \$1,127,000 of the general fund—state appropriation for fiscal year 2020 is provided solely for increased staffing to facilitate the transfer of individuals from the department of corrections."

Senators Braun and Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1200 by Senator Braun on page 260, line 31 to Substitute Senate Bill No. 6168.

The motion by Senator Braun carried and floor amendment no. 1200 was adopted by voice vote.

MOTION

Senator Padden moved that the following floor amendment no. 1192 by Senator Padden be adopted:

On page 277, line 12, increase the General Fund—State Appropriation (FY 2021) by \$50,000

Adjust the total appropriation accordingly.

On page 280, after line 31, insert the following:

"(l) \$50,000 of the general fund—state appropriation for fiscal year 2021 is provided solely for the purpose of conducting a regulatory audit of rules and regulations pertaining to child care providers. The scope of the audit shall be all rules, standards, and regulations implemented or enforced by the department or its predecessor agency since July 6, 2015. The audit shall include the following:

(i) The regulations, rules, standards, quality-assurance protocols, and procedures that increase operating costs for child care centers, licensed family home providers, and family, friends, and neighbors providers, with analysis of how much operating costs were increased;

(ii) Workforce regulations that present barriers to entry into the child care workforce and the estimated number of workers lost to other fields and professions since July 6, 2015;

(iii) Professional development and certification regulations and requirements that present barriers to advancement in the child care workforce;

(iv) Analysis of the number of child care providers that have closed or discontinued service in Washington since July 6, 2015;

(v) Reporting on the number of child care slots lost or gained and the number of geographic child care deserts lost or gained since July 6, 2015; and

(vi) Assessment of the rules and regulations that are unnecessary, duplicative, or superfluous and recommendations for the elimination or revision of such rules and regulations."

Senators Padden and Short spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

Senator Short 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 the amendment by Senator Padden on page 277, line 12 to Substitute Senate Bill No. 6168.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Padden and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Braun, Brown, Erickson, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

WITHDRAWAL OF AMENDMENT

On motion of Senator Rivers and without objection, floor amendment no. 1191 by Senator Rivers on page 381, line 37 to Substitute Senate Bill No. 6168 was withdrawn.

MOTION

Senator Schoesler moved that the following floor amendment no. 1182 by Senator Schoesler be adopted:

On page 290, line 34, increase the General Fund—State Appropriation (FY 2021) by \$22,472,000

On page 291, line 4, decrease the Parks Renewal and Stewardship Account—State Appropriation by \$22,472,000

On page 298, line 14, increase the General Fund—State Appropriation (FY 2021) by \$2,140,000

On page 298, line 27, decrease the State Wildlife Account—State Appropriation by \$2,140,000

On page 306, line 12, increase the General Fund—State Appropriation (FY 2021) by \$2,140,000

Adjust the total appropriation accordingly.

FORTY SIXTH DAY, FEBRUARY 27, 2020

2020 REGULAR SESSION

On page 507, after line 24, insert the following:
"Sec. 925. RCW 79A.80.020 and 2017 c 121 s 1 are each amended to read as follows:

(1) Except for the fiscal year ending June 30, 2021, and as otherwise provided in this chapter, a discover pass is required for any motor vehicle to:

- (a) Park at any recreation site or lands; or
- (b) Operate on any recreation site or lands.

(2) Except as provided in RCW 79A.80.110, the cost of a discover pass is thirty dollars. Every four years the office of financial management must review the cost of the discover pass and, if necessary, recommend to the legislature an adjustment to the cost of the discover pass to account for inflation.

(3) A discover pass is valid for one year beginning from the date that the discover pass is marked for activation. The activation date may differ from the purchase date pursuant to any policies developed by the agencies.

(4) Sales of discover passes must be consistent with RCW 79A.80.100.

(5) The discover pass must contain space for two motor vehicle license plate numbers. A discover pass is valid only for those vehicle license plate numbers written on the pass. However, the agencies may offer for sale a family discover pass that is fully transferable among vehicles and does not require the placement of a license plate number on the pass to be valid. The agencies must collectively set a price for the sale of a family discover pass that is no more than fifty dollars. A discover pass is valid only for use with one motor vehicle at any one time.

(6)(a) One complimentary discover pass must be provided to a volunteer who performed twenty-four hours of service on agency-sanctioned volunteer projects in a year. The agency must provide vouchers to volunteers identifying the number of volunteer hours they have provided for each project. The vouchers may be brought to an agency to be redeemed for a discover pass.

(b) Married spouses under chapter 26.04 RCW may present an agency with combined vouchers demonstrating the collective performance of twenty-four hours of service on agency-sanctioned volunteer projects in a year to be redeemed for a single complimentary discover pass."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, at the beginning of line 3 of the title, strike "and 43.31.502" and insert "43.31.502, and 79A.80.020"

Senators Schoesler, Short, Becker, Fortunato, Ericksen and Brown spoke in favor of adoption of the amendment.

Senator Van De Wege spoke against adoption of the amendment.

Senator Short 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 the amendment by Senator Schoesler on page 290, line 34 to Substitute Senate Bill No. 6168.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Schoesler and the amendment was not adopted by the following vote: Yeas, 22; Nays, 27; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall,

O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Takko, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Van De Wege, Wellman and Wilson, C.

WITHDRAWAL OF AMENDMENT

On motion of Senator Zeiger and without objection, floor amendment no. 1211 by Senator Zeiger on page 441, line 13 to Substitute Senate Bill No. 6168 was withdrawn.

WITHDRAWAL OF AMENDMENT

On motion of Senator Rivers and without objection, floor amendment no. 1186 by Senator Rivers on page 495, line 3 to Substitute Senate Bill No. 6168 was withdrawn.

MOTION

Senator Muzzall moved that the following floor amendment no. 1208 by Senator Muzzall be adopted:

On page 507, after line 24, insert the following:

"Sec. 925. RCW 43.185C.050 and 2018 c 85 s 5 are each amended to read as follows:

(1) Each local homeless housing task force shall prepare and recommend to its local government legislative authority a five-year homeless housing plan for its jurisdictional area, which shall be not inconsistent with the department's statewide guidelines issued by December 1, 2018, and thereafter the department's five-year homeless housing strategic plan, and which shall be aimed at eliminating homelessness. The local government may amend the proposed local plan and shall adopt a plan by December 1, 2019. Performance in meeting the goals of this local plan shall be assessed annually in terms of the performance measures published by the department. Local plans may include specific local performance measures adopted by the local government legislative authority, and may include recommendations for any state legislation needed to meet the state or local plan goals.

(2) Eligible activities under the local plans include:

(a) Rental and furnishing of dwelling units for the use of homeless persons;

(b) Costs of developing affordable housing for homeless persons, and services for formerly homeless individuals and families residing in transitional housing or permanent housing and still at risk of homelessness;

(c) Operating subsidies for transitional housing or permanent housing serving formerly homeless families or individuals;

(d) Services to prevent homelessness, such as emergency eviction prevention programs including temporary rental subsidies to prevent homelessness;

(e) Temporary services to assist persons leaving state institutions and other state programs to prevent them from becoming or remaining homeless;

(f) Outreach services for homeless individuals and families;

(g) Development and management of local homeless plans including homeless census data collection; identification of goals, performance measures, strategies, and costs and evaluation of progress towards established goals;

(h) Rental vouchers payable to landlords for persons who are homeless or below thirty percent of the median income or in immediate danger of becoming homeless; ~~((and))~~

(i) Other activities to reduce and prevent homelessness as identified for funding in the local plan; and

(j) For the 2019-2021 fiscal biennium, security and sanitation services related to homeless encampments and populations.

Sec. 926. RCW 43.185C.060 and 2018 c 85 s 6 are each amended to read as follows:

(1) The home security fund account is created in the state treasury, subject to appropriation. The state's portion of the surcharge established in RCW 36.22.179 and 36.22.1791 must be deposited in the account. Expenditures from the account may be used only for homeless housing programs as described in this chapter and during the 2019-2021 fiscal biennium to provide grants to local government for security or sanitation services related to homeless encampments and populations.

(2) The department must distinguish allotments from the account made to carry out the activities in RCW 43.330.167, 43.330.700 through 43.330.715, 43.330.911, 43.185C.010, 43.185C.250 through 43.185C.320, and 36.22.179(1)(b).

(3) The office of financial management must secure an independent expenditure review of state funds received under RCW 36.22.179(1)(b) on a biennial basis. The purpose of the review is to assess the consistency in achieving policy priorities within the private market rental housing segment for housing persons experiencing homelessness. The independent reviewer must notify the department and the office of financial management of its findings. The first biennial expenditure review, for the 2017-2019 fiscal biennium, is due February 1, 2020. Independent reviews conducted thereafter are due February 1st of each even-numbered year.

Sec. 927. RCW 43.185C.090 and 2005 c 484 s 13 are each amended to read as follows:

The department shall allocate grant moneys from the *homeless housing account to finance in whole or in part programs and projects in approved local homeless housing plans to assist homeless individuals and families gain access to adequate housing, prevent at-risk individuals from becoming homeless, address the root causes of homelessness, track and report on homeless-related data, provide grants to local government for security or sanitation services related to homeless encampments and populations during the 2019-2021 fiscal biennium, and facilitate the movement of homeless or formerly homeless individuals along the housing continuum toward more stable and independent housing. The department may issue criteria or guidelines to guide local governments in the application process."

On page 1, line 2 of the title, after "28B.145.050", insert "43.185C.050, 43.185C.060, 43.185C.090,"

Senator Muzzall spoke in favor of adoption of the amendment.

Senator Kuderer spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1208 by Senator Muzzall on page 507, after line 24 to Substitute Senate Bill No. 6168.

The motion by Senator Muzzall did not carry and floor amendment no. 1208 was not adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute Senate Bill No. 6168 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, Rolfes and Braun 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. 6168.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6168 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 16; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Walsh, Wellman and Wilson, C.

Voting nay: Senators Becker, Brown, Ericksen, Fortunato, Holy, Honeyford, King, Muzzall, Padden, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson, L. and Zeiger

ENGROSSED SUBSTITUTE SENATE BILL NO. 6168, having received the 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: "I want to rise today, I want to thank everybody for the vigorous debate, and the vote. But, I did want to acknowledge that it takes an actually really big team to get us here and I am guessing that they were watching this on tv just waiting to see what we were going to do to them. Whether they were in their offices or home sick in bed, and so I would like to express a sincere gratitude to staff of the Senate Ways & Means Committee and can I read their names?"

President Habib: "Please proceed."

Senator Rolfes: "They put in so many long hours, especially this week and they are going to have many more long hours ahead of them. And so thank you on behalf of the people of Washington: Michael Bezanson; James Kettel; Jeff Mitchell; Julie Murray; Michelle Alishahi; Amanda Cecil; Sarah Emmans; Kayla Hammer; Jed Herman; Maria Hovde; Alia Kennedy; Jeffery Naas; Corban Nemeth; Sarian Scott; Sandy Stith; Travis Sugarman; Liza Weeks; Lindsay Trant; and Megan Tudor. And of course, Matt Bridges and Ryan Moore who are probably going to be able to sleep a little bit in the next couple of days. And of course, all of the members of the Senate Ways & Means committee, in particularly Senators Braun and Brown and Frockt. Thanks for all the work that you've put in over the last month and a half. Thank you."

MOTION

On motion of Senator Liias, the Senate reverted to the fourth order of business.

MESSAGES FROM THE HOUSE

February 27, 2020

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 2032,
HOUSE BILL NO. 2903,

FORTY SIXTH DAY, FEBRUARY 27, 2020

2020 REGULAR SESSION

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 27, 2020

MR. PRESIDENT:

The House has passed:

SUBSTITUTE SENATE BILL NO. 5097,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

At 4:07 p.m., on motion of Senator Lias, the Senate adjourned until 12:00 o'clock noon Friday, February 28, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FORTY SEVENTH DAY**NOON SESSION**

Senate Chamber, Olympia
Friday, February 28, 2020

The Senate was called to order at 12:04 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

The Sergeant at Arms Color Guard consisting of Pages Miss Abby Bacon and Mr. Rhys Harnett, presented the Colors. Page Mr. Prabhsharan Singled the Senate in the Pledge of Allegiance. The prayer was offered by Mr. Sidhu Singh of Gurdwara Sri Tegh Bahadur Sahib Ji, Kent, with translation provided by Mr. Amarjit Singh.

MOTIONS

On motion of Senator Liias the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 27, 2020

SB 6497 Prime Sponsor, Senator Hobbs: Making supplemental transportation appropriations for the 2019-2021 fiscal biennium. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6497 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2020

HB 1368 Prime Sponsor, Representative Springer: Reauthorizing the business and occupation tax deduction for cooperative finance organizations. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Vice Chair; Fortunato, Assistant Ranking Member, Environment; Brown; Das; Hobbs; Liias; Nguyen; Rivers; Short and Stanford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle, Chair and Wellman.

Referred to Committee on Ways & Means.

February 26, 2020

ESHB 1422 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning the protection of vulnerable adults. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

February 27, 2020

E2SHB 1503 Prime Sponsor, Committee on Appropriations: Concerning registration and consumer protection obligations of data brokers. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Sheldon, Assistant Ranking Member, Energy & Technology; Das; Hobbs; Liias; McCoy; Nguyen and Stanford.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Assistant Ranking Member, Environment and Rivers.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Ericksen, Ranking Member; Brown; Short and Wellman.

Referred to Committee on Ways & Means.

February 27, 2020

3SHB 1504 Prime Sponsor, Committee on Transportation: Concerning impaired driving. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 27, 2020

HB 1590 Prime Sponsor, Representative Doglio: Allowing the local sales and use tax for affordable housing to be imposed by a councilmanic authority. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended. Signed by Senators Takko, Chair; Salomon, Vice Chair and Lovelett.

MINORITY recommendation: Do not pass. Signed by Senators Short, Ranking Member and Honeyford.

Referred to Committee on Rules for second reading.

February 27, 2020

EHB 1694 Prime Sponsor, Representative Morgan: Allowing tenants to pay certain sums in installments. Reported by Committee on Financial Institutions, Economic Development & Trade

FORTY SEVENTH DAY, FEBRUARY 28, 2020

2020 REGULAR SESSION

MAJORITY recommendation: Do pass as amended. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Das; Ericksen and Hobbs.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, L., Ranking Member and Braun.

February 26, 2020

ESHB 2116 Prime Sponsor, Committee on Education: Establishing a task force on improving institutional education programs and outcomes. Reported by Committee on Early Learning & K-12 Education

Referred to Committee on Rules for second reading.

February 27, 2020

SHB 1826 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning the disclosure of certain information during the discharge planning process. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Holy; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille and Frockt.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hawkins, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban.

Referred to Committee on Ways & Means.

Referred to Committee on Rules for second reading.

February 27, 2020

SHB 2205 Prime Sponsor, Committee on Civil Rights & Judiciary: Making technical corrections and removing obsolete language from the Revised Code of Washington pursuant to RCW 1.08.025. Reported by Committee on Law & Justice

February 27, 2020
2SHB 1853 Prime Sponsor, Committee on Transportation: Developing and coordinating a statewide don't drip and drive program. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Sheldon, Assistant Ranking Member, Energy & Technology; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Stanford and Wellman.

February 27, 2020

ESHB 2231 Prime Sponsor, Committee on Public Safety: Concerning bail jumping. Reported by Committee on Law & Justice

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Brown and Short.

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Holy; Kuderer and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wilson, L.

Referred to Committee on Ways & Means.

MINORITY recommendation: Do not pass. Signed by Senator Padden, Ranking Member.

February 27, 2020
2SHB 2066 Prime Sponsor, Committee on Transportation: Addressing restrictions on driver's licenses associated with certain criminal offenses. Reported by Committee on Law & Justice

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

February 27, 2020

SHB 2246 Prime Sponsor, Committee on Environment & Energy: Concerning the reorganization of laws related to environmental health without making any substantive, policy changes. Reported by Committee on Environment, Energy & Technology

Referred to Committee on Transportation.

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short; Stanford and Wellman.

February 27, 2020
ESHB 2099 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning the use of video technology under the involuntary treatment act. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

February 27, 2020

SHB 2295 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning enforcement of small claims court judgments. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 27, 2020

SHB 2302 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning child support, but only with respect to standards for determination of income, abatement of child support for incarcerated obligors, modification of administrative orders, and notices of support owed. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Ways & Means.

February 27, 2020

HB 2305 Prime Sponsor, Representative Doglio: Concerning firearms laws concerning persons subject to vulnerable adult protection orders. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

February 27, 2020

ESHB 2318 Prime Sponsor, Committee on Public Safety: Advancing criminal investigatory practices. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 27, 2020

SHB 2320 Prime Sponsor, Committee on Consumer Protection & Business: Requiring training on human trafficking. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 27, 2020

ESHB 2342 Prime Sponsor, Committee on Environment & Energy: Aligning the timing of comprehensive plan updates required by the growth management act with the timing of shoreline master program updates required by the shoreline management act. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Erickson, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short; Stanford and Wellman.

Referred to Committee on Ways & Means.

February 27, 2020

2SHB 2386 Prime Sponsor, Committee on Appropriations: Creating the state office of the behavioral health ombuds. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

Referred to Committee on Ways & Means.

February 26, 2020

HB 2390 Prime Sponsor, Representative Kilduff: Using respectful language. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 26, 2020

SHB 2393 Prime Sponsor, Committee on Public Safety: Earning credit for complying with community custody conditions. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass as amended. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2020

HB 2396 Prime Sponsor, Representative Hudgins: Concerning the regulation of bot communication on public-facing internet web sites. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Sheldon, Assistant Ranking Member, Energy & Technology; Das; Hobbs; Liias; McCoy; Nguyen; Stanford and Wellman.

FORTY SEVENTH DAY, FEBRUARY 28, 2020

2020 REGULAR SESSION

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Brown; Rivers and Short.

forensic mental health services. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

Referred to Committee on Rules for second reading.

February 27, 2020

SHB 2400 Prime Sponsor, Committee on State Government & Tribal Relations: Concerning privacy assessment surveys of state agencies. Reported by Committee on Environment, Energy & Technology

February 27, 2020

SHB 2426 Prime Sponsor, Committee on Health Care & Wellness: Protecting patient safety in psychiatric hospitals and other health care facilities. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short; Stanford and Wellman.

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Darneille and Frockt.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Ericksen, Ranking Member Fortunato, Assistant Ranking Member, Environment.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wagoner, Ranking Member and O'Ban.

Referred to Committee on Rules for second reading.

Referred to Committee on Ways & Means.

February 27, 2020

E2SHB 2405 Prime Sponsor, Committee on Appropriations: Concerning commercial property assessed clean energy and resilience. Reported by Committee on Environment, Energy & Technology

February 27, 2020

HB 2442 Prime Sponsor, Representative Leavitt: Regulating online services and applications that are directed at minors. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Sheldon, Assistant Ranking Member, Energy & Technology; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Short; Stanford and Wellman.

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Sheldon, Assistant Ranking Member, Energy & Technology; Brown; Das; Hobbs; Liias; McCoy; Nguyen; Rivers; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member Fortunato, Assistant Ranking Member, Environment.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member Fortunato, Assistant Ranking Member, Environment.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Brown.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Short.

Referred to Committee on Ways & Means.

Referred to Committee on Ways & Means.

February 27, 2020

SHB 2409 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning industrial insurance employer penalties, duties, and the licensing of third-party administrators. Reported by Committee on Labor & Commerce

February 27, 2020

SHB 2448 Prime Sponsor, Committee on Health Care & Wellness: Concerning enhanced services facilities. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille and Frockt.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; Schoesler and Walsh.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 27, 2020

HB 2416 Prime Sponsor, Representative Kilduff: Concerning disclosures of information and records related to

February 27, 2020

HB 2449 Prime Sponsor, Representative Griffey: Concerning water-sewer district commissioner compensation. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended. Signed by Senators Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

February 27, 2020
E2SHB 2467 Prime Sponsor, Committee on Appropriations: Establishing a centralized single point of contact background check system for firearms transfers. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Ways & Means.

February 27, 2020
SHB 2473 Prime Sponsor, Committee on Public Safety: Concerning domestic violence. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 27, 2020
SHB 2483 Prime Sponsor, Committee on Public Safety: Clarifying vehicle impoundment and redemption following arrest for driving or being in physical control of a vehicle while under the influence of alcohol or drugs. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 27, 2020
2SHB 2499 Prime Sponsor, Committee on Appropriations: Certifying corrections officers. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Ways & Means.

February 27, 2020
SHB 2511 Prime Sponsor, Committee on Labor & Workplace Standards: Providing labor protections for domestic workers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; Schoesler and Walsh.

Referred to Committee on Rules for second reading.

February 27, 2020
ESHB 2535 Prime Sponsor, Committee on Civil Rights & Judiciary: Providing for a grace period before late fees may be imposed for past due rent. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das; Ericksen and Hobbs.

Referred to Committee on Rules for second reading.

February 27, 2020
SHB 2555 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning background check requirements for firearms classified as other under federal firearms laws. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Ways & Means.

February 27, 2020
SHB 2567 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning open courts. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

February 26, 2020
HB 2580 Prime Sponsor, Representative Caldier: Reporting on independent living services. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2020

FORTY SEVENTH DAY, FEBRUARY 28, 2020

2020 REGULAR SESSION

ESHB 2588 Prime Sponsor, Committee on Local Government: Improving openness, accountability, and transparency of special purpose districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MAJORITY recommendation: Do pass as amended. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Honeyford.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Lovelett.

Referred to Committee on Rules for second reading.

February 27, 2020

ESHB 2629 Prime Sponsor, Committee on Housing, Community Development & Veterans: Waiving utility connection charges for certain properties. Reported by Committee on Local Government

February 27, 2020

HB 2596 Prime Sponsor, Representative Boehnke: Fostering economic growth in Washington by supporting emerging businesses in the new space economy. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member and Lovelett.

MAJORITY recommendation: Do pass as amended. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das; Ericksen and Hobbs.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford.

Referred to Committee on Rules for second reading.

Referred to Committee on Ways & Means.

February 27, 2020

ESHB 2642 Prime Sponsor, Committee on Health Care & Wellness: Removing health coverage barriers to accessing substance use disorder treatment services. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

February 26, 2020

HB 2599 Prime Sponsor, Representative Eslick: Concerning services for children with multiple handicaps. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass as amended. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

Referred to Committee on Rules for second reading.

February 27, 2020

HB 2664 Prime Sponsor, Representative Lovick: Concerning sheriff's office qualifications. Reported by Committee on Law & Justice

February 27, 2020

SHB 2622 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning procedures for ensuring compliance with court orders requiring surrender of firearms, weapons, and concealed pistol licenses. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Rules for second reading.

February 26, 2020

HB 2682 Prime Sponsor, Representative Senn: Concerning out-of-home services. Reported by Committee on Human Services, Reentry & Rehabilitation

February 27, 2020

EHB 2623 Prime Sponsor, Representative Walen: Prohibiting the possession of firearms by persons convicted of certain criminal offenses. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland; O'Ban; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 27, 2020

ESHB 2722 Prime Sponsor, Committee on Environment & Energy: Concerning minimum recycled content requirements. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Das; Hobbs; Liias; McCoy; Nguyen; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators Ericksen, Ranking Member; Fortunato, Assistant Ranking Member, Environment; Sheldon, Assistant Ranking Member, Energy & Technology; Brown and Short.

Referred to Committee on Ways & Means.

February 26, 2020

SHB 2725 Prime Sponsor, Committee on Human Services & Early Learning: Renaming foster resource parents. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: Do pass. Signed by Senators Darneille, Chair; Nguyen, Vice Chair; Walsh, Ranking Member; Cleveland and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban and Zeiger.

Referred to Committee on Rules for second reading.

February 26, 2020

ESHB 2731 Prime Sponsor, Committee on Education: (REVISED FOR ENGROSSED: Reporting of information about diagnosed concussions of students sustained during athletics and other activities.) Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Ways & Means.

February 27, 2020

2SHB 2737 Prime Sponsor, Committee on Appropriations: Updating the children's mental health work group. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

Referred to Committee on Ways & Means.

February 27, 2020

HB 2762 Prime Sponsor, Representative Rude: Extending the peer support group testimonial privilege to include staff persons of the department of corrections. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 27, 2020

HB 2763 Prime Sponsor, Representative Chapman: Concerning interest arbitration for department of corrections employees. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Schoesler; Stanford; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

Referred to Committee on Ways & Means.

February 27, 2020

ESHB 2783 Prime Sponsor, Committee on Local Government: Standardizing fire safety requirements for mobile on-demand gasoline providers. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

February 27, 2020

SHB 2785 Prime Sponsor, Committee on Public Safety: Concerning the membership of the criminal justice training commission. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 27, 2020

SHB 2789 Prime Sponsor, Committee on Public Safety: Collecting information regarding police use of deadly force. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Kuderer and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Ranking Member; Holy and Wilson, L.

Referred to Committee on Ways & Means.

February 27, 2020

EHB 2792 Prime Sponsor, Representative Mosbrucker: Concerning missing and unidentified persons. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Rules for second reading.

February 27, 2020
2SHB 2793 Prime Sponsor, Committee on Appropriations: Vacating criminal records. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; Holy; Kuderer; Salomon and Wilson, L.

Referred to Committee on Ways & Means.

February 27, 2020
HB 2833 Prime Sponsor, Representative Hoff: Concerning the board of engineers and land surveyors' appointment of its director and agreement with the department of licensing. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 27, 2020
HB 2848 Prime Sponsor, Representative Chapman: Changing the expiration date for the sales and use tax exemption of hog fuel to coincide with the 2045 deadline for fossil fuel-free electrical generation in Washington state and to protect jobs with health care and retirement benefits in economically distressed communities. Reported by Committee on Environment, Energy & Technology

MAJORITY recommendation: Do pass as amended. Signed by Senators Lovelett, Vice Chair; Carlyle, Chair; Das; Hobbs; Liias; Nguyen; Short; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senator Rivers.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Brown.

Referred to Committee on Ways & Means.

February 27, 2020
HB 2858 Prime Sponsor, Representative Orcutt: Concerning requirements for the filing of assessment rolls. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Takko, Chair; Salomon, Vice Chair; Short, Ranking Member; Honeyford and Lovelett.

Referred to Committee on Rules for second reading.

February 27, 2020
ESHB 2879 Prime Sponsor, Committee on Innovation, Technology & Economic Development: Fostering economic growth in Washington by supporting in-state manufacturing.

Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: Do pass as amended. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das; Ericksen and Hobbs.

Referred to Committee on Rules for second reading.

February 27, 2020
SHB 2883 Prime Sponsor, Committee on Human Services & Early Learning: Expanding adolescent behavioral health care access. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

Referred to Committee on Rules for second reading.

February 27, 2020
SHB 2889 Prime Sponsor, Committee on Local Government: Concerning utility tax disclosures. Reported by Committee on Local Government

MAJORITY recommendation: Do pass as amended. Signed by Senators Takko, Chair; Short, Ranking Member; Honeyford and Lovelett.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Salomon, Vice Chair.

Referred to Committee on Rules for second reading.

February 27, 2020
HB 2926 Prime Sponsor, Representative Maycumber: Expanding access to critical incident stress management programs. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Darneille; Frockt and O'Ban.

Referred to Committee on Ways & Means.

February 27, 2020
SGA 9358 CHRISTIE E. SKOORSMITH, appointed on December 4, 2019, for the term ending October 1, 2022, as Member of the Small Business Export Finance Assistance Center Board of Directors. Reported by Committee on Financial Institutions, Economic Development & Trade

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Mullet, Chair; Hasegawa, Vice Chair; Wilson, L., Ranking Member; Braun; Das; Ericksen and Hobbs.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Standing Committee report were referred to the committees as designated

with the exceptions of House Bill No. 2396 and Substitute House Bill No. 2511 which had been designated to the Committee on Ways & Means and were referred to the Committee on Rules.

MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 27, 2020

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2248,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2880,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Das moved adoption of the following resolution:

SENATE RESOLUTION
8696

By Senators Das, Dhingra, Wellman, Nguyen, Carlyle, Stanford, Wilson, C., Saldaña, Lovelett, Liias, McCoy, Hobbs, Zeiger, Holy, Warnick, Hasegawa, Darneille, Brown, Short, Rolfes, Mullet, Randall, Salomon, Cleveland, Takko, Hunt, Keiser, Billig, Walsh, Wilson, L., Schoesler, Fortunato, Becker, Muzzall, King, Wagoner, Hawkins, Frockt, and Kuderer

WHEREAS, Sikhism is a religion founded in the Punjab region of South Asia over five centuries ago and introduced to the United States in the 19th century; and

WHEREAS, Sikhism is the fifth largest world religion with approximately twenty-five million adherents from diverse backgrounds throughout the world, including an estimated five hundred thousand adherents in the United States; and

WHEREAS, Sikhs in the United States pursue diverse professions and walks of life, making rich contributions to the economic vibrancy of the United States; and

WHEREAS, Washington prides itself on being a state where people of all faiths and cultures are welcomed and respected; and

WHEREAS, During the month of April, the Sikh community celebrates Vaisakhi, also known as Khalsa Day, which marks the beginning of the harvest season and the Sikh New Year; and

WHEREAS, Vaisakhi is one of the most religiously significant days in Sikh history, commemorating the creation of the Khalsa, a fellowship of devout Sikhs, by Guru Gobind Singh in 1699; and

WHEREAS, The local Sikh community will be celebrating Vaisakhi on May 9th, 2020, at the Kent ShoWare Center, showcasing Sikh heritage and culture;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the state of Washington wish our Sikh American community a very joyous Vaisakhi celebration.

Senators Das, Dhingra, Fortunato and Saldaña spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8696.

The motion by Senator Das carried and the resolution was adopted by voice vote.

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. 5097.

MOTION

At 12:25 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of reading in committee reports later in the day.

EVENING SESSION

The Senate was called to order at 5:07 p.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate reverted to the first order of business.

SUPPLEMENTAL REPORTS OF STANDING
COMMITTEES

February 28, 2020

HB 1165 Prime Sponsor, Representative Orwall: Encouraging low-water landscaping practices as a drought alleviation tool. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

February 28, 2020

2SHB 1182 Prime Sponsor, Committee on Appropriations: Modifying the learning assistance program. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Holy; Padden and Wagoner.

Referred to Committee on Rules for second reading.

February 28, 2020

2SHB 1191 Prime Sponsor, Committee on Education: Concerning school notifications. Reported by Committee on Early Learning & K-12 Education

FORTY SEVENTH DAY, FEBRUARY 28, 2020

2020 REGULAR SESSION

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Holy; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; Padden and Wagoner.

Referred to Committee on Rules for second reading.

February 28, 2020

ESHB 1264 Prime Sponsor, Committee on Appropriations: Concerning secondary traumatic stress in public school staff. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Ways & Means.

February 28, 2020

E2SHB 1272 Prime Sponsor, Committee on Appropriations: Concerning school lunch durations. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Ways & Means.

February 28, 2020

EHB 1552 Prime Sponsor, Representative Dolan: Concerning health care provider credentialing by health carriers. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Keiser; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senator Muzzall.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Becker.

Referred to Committee on Rules for second reading.

February 28, 2020

2SHB 1651 Prime Sponsor, Committee on Human Services & Early Learning: Identifying rights of persons receiving state developmental disability services. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Rules for second reading.

February 28, 2020

3SHB 1660 Prime Sponsor, Committee on Education: Concerning the participation of students who are low income in extracurricular activities. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 28, 2020

SHB 1715 Prime Sponsor, Committee on Education: Removing school districts' ability to withhold pupils' grades and transcripts. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member; Holy; Padden and Wagoner.

Referred to Committee on Rules for second reading.

February 28, 2020

ESHB 1754 Prime Sponsor, Committee on Housing, Community Development & Veterans: Concerning the hosting of the homeless by religious organizations. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass as amended. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

February 28, 2020

ESHB 1813 Prime Sponsor, Committee on Appropriations: Incorporating the costs of employee health benefits into school district contracts for pupil transportation. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MINORITY recommendation: Do not pass. Signed by Senator Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hawkins, Ranking Member; Holy and Padden.

Referred to Committee on Ways & Means.

February 28, 2020

EHB 1894 Prime Sponsor, Representative Dent: Concerning additional temporary duties for the wildland fire

advisory committee. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member and McCoy.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford; Rolfes and Short.

Referred to Committee on Ways & Means.

February 28, 2020

HB 1983 Prime Sponsor, Representative Maycumber: Concerning natural resource management activities. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy and Short.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rolfes.

Referred to Committee on Rules for second reading.

February 28, 2020

ESHB 2036 Prime Sponsor, Committee on Health Care & Wellness: Concerning health system transparency. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban, Ranking Member; Becker; Muzzall and Rivers.

Referred to Committee on Ways & Means.

February 28, 2020

EHB 2040 Prime Sponsor, Representative MacEwen: Concerning nonhigh school districts. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 28, 2020

HB 2109 Prime Sponsor, Representative Blake: Concerning membership of the Chehalis board. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

February 28, 2020

HB 2110 Prime Sponsor, Representative Ryu: Modifying the definition of affordable workforce housing for the purposes of permitted lodging tax revenue expenditures. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Chair; Das, Vice Chair; Darneille and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Assistant Ranking Member; Zeiger, Ranking Member and Warnick.

Referred to Committee on Rules for second reading.

February 28, 2020

HB 2217 Prime Sponsor, Representative Eslick: Concerning cottage food product labeling requirements. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

February 28, 2020

ESHB 2220 Prime Sponsor, Committee on Education: Volunteering in schools after a criminal conviction. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet and Salomon.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member and Holy.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden; Pedersen and Wagoner.

Referred to Committee on Ways & Means.

February 28, 2020

SHB 2250 Prime Sponsor, Committee on Rural Development, Agriculture, & Natural Resources: Concerning coastal crab derelict gear recovery. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

February 28, 2020

HB 2251 Prime Sponsor, Representative Thai: Concerning the expiration date for notification of dispensing an interchangeable biological product. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker and Rivers.

Referred to Committee on Rules for second reading.

Referred to Committee on Ways & Means.

February 28, 2020

February 28, 2020

SHB 2338 Prime Sponsor, Committee on Health Care & Wellness: Prohibiting discrimination in health care coverage. Reported by Committee on Health & Long Term Care

SHB 2464 Prime Sponsor, Committee on Health Care & Wellness: Protecting patients from excess prescription medication charges. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Van De Wege.

MAJORITY recommendation: Do pass as amended. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Muzzall.

Referred to Committee on Rules for second reading.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban, Ranking Member; Becker and Rivers.

February 28, 2020

Referred to Committee on Rules for second reading.

HB 2497 Prime Sponsor, Representative Ormsby: Adding development of permanently affordable housing to the allowable uses of community revitalization financing, the local infrastructure financing tool, and local revitalization financing. Reported by Committee on Housing Stability & Affordability

February 28, 2020

SHB 2343 Prime Sponsor, Committee on Environment & Energy: Concerning urban housing supply. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass as amended. Signed by Senators Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille and Saldaña.

MAJORITY recommendation: Do pass as amended. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Assistant Ranking Member and Warnick.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 28, 2020

February 28, 2020

ESHB 2455 Prime Sponsor, Committee on Human Services & Early Learning: Supporting access to child care for parents who are attending high school or working toward completion of a high school equivalency certificate. Reported by Committee on Early Learning & K-12 Education

2SHB 2513 Prime Sponsor, Committee on Appropriations: Prohibiting the practice of transcript withholding and limiting the practice of registration holds at institutions of higher education as debt collection practices. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

MAJORITY recommendation: Do pass as amended. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Holy and Padden.

Referred to Committee on Ways & Means.

MINORITY recommendation: Do not pass. Signed by Senators Hawkins, Ranking Member and Wagoner.

February 28, 2020

Referred to Committee on Ways & Means.

HB 2524 Prime Sponsor, Representative Chandler: Expanding the scope of agricultural products subject to requirements in chapter 15.83 RCW related to negotiation concerning production or marketing. Reported by Committee on Agriculture, Water, Natural Resources & Parks

February 28, 2020

2SHB 2457 Prime Sponsor, Committee on Appropriations: Establishing the health care cost transparency board. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

MAJORITY recommendation: Do pass as amended. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Keiser; Muzzall and Van De Wege.

Referred to Committee on Rules for second reading.

February 28, 2020

SHB 2543 Prime Sponsor, Committee on College & Workforce Development: Ensuring eligible veterans and their dependents qualify for in-state residency. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass as amended. Signed by Senators Randall, Chair; Stanford, Vice Chair; Holy, Ranking Member; Brown and Liias.

Referred to Committee on Ways & Means.

February 28, 2020

SHB 2556 Prime Sponsor, Committee on Human Services & Early Learning: Providing regulatory relief for early learning providers. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Ways & Means.

February 28, 2020

ESHB 2575 Prime Sponsor, Committee on State Government & Tribal Relations: Concerning reforms to increase transparency and accountability of the Washington redistricting commission. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hawkins and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Ways & Means.

February 28, 2020

HB 2587 Prime Sponsor, Representative Ramel: Establishing a program for the designation of state scenic bikeways. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Ways & Means.

February 28, 2020

EHB 2610 Prime Sponsor, Representative Duerr: Concerning the sale or lease of manufactured/mobile home communities and the property on which they sit. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Darneille and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Assistant Ranking Member and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Zeiger, Ranking Member.

Referred to Committee on Rules for second reading.

February 28, 2020

HB 2619 Prime Sponsor, Representative Shewmake: Increasing early learning access through licensing, eligibility, and rate improvements. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Ways & Means.

February 28, 2020

HB 2624 Prime Sponsor, Representative Shewmake: Concerning the authority of the director of the department of agriculture with respect to certain examinations and examination fees. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

February 28, 2020

ESHB 2660 Prime Sponsor, Committee on Education: Increasing the availability of school meals provided to public school students at no student cost. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Ways & Means.

February 28, 2020

E2SHB 2662 Prime Sponsor, Committee on Appropriations: Reducing the total cost of insulin. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban, Ranking Member and Becker.

Referred to Committee on Ways & Means.

February 28, 2020

SHB 2673 Prime Sponsor, Committee on Environment & Energy: Concerning exemptions for infill development under

FORTY SEVENTH DAY, FEBRUARY 28, 2020

2020 REGULAR SESSION

the state environmental policy act. Reported by Committee on Housing Stability & Affordability

Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

MAJORITY recommendation: Do pass. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 28, 2020

HB 2680 Prime Sponsor, Representative Chapman: Establishing tribal representation on the emergency management council. Reported by Committee on State Government, Tribal Relations & Elections

EHB 2755 Prime Sponsor, Representative Schmick: Concerning transparency regarding the cost of air ambulance services. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Ways & Means.

Referred to Committee on Rules for second reading.

February 28, 2020

SHB 2712 Prime Sponsor, Committee on Rural Development, Agriculture, & Natural Resources: Requiring retailers to indicate the country of origin on beef sold to the public. Reported by Committee on Agriculture, Water, Natural Resources & Parks

SHB 2768 Prime Sponsor, Committee on Rural Development, Agriculture, & Natural Resources: Concerning urban and community forestry. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege, Chair; Warnick, Ranking Member; Rolfes and Short.

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; McCoy and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Salomon, Vice Chair and Honeyford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick, Ranking Member; Honeyford and Short.

MINORITY recommendation: Do not pass. Signed by Senator McCoy.

Referred to Committee on Ways & Means.

Referred to Committee on Ways & Means.

February 28, 2020

SHB 2714 Prime Sponsor, Committee on Rural Development, Agriculture, & Natural Resources: Valuing the carbon in forest riparian easements. Reported by Committee on Agriculture, Water, Natural Resources & Parks

SHB 2772 Prime Sponsor, Committee on State Government & Tribal Relations: Concerning the administration of election campaign activities and reporting statements of financial affairs. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; McCoy; Rolfes and Short.

MAJORITY recommendation: Do pass as amended. Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Honeyford.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Muzzall, Assistant Ranking Member.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

February 28, 2020

SHB 2730 Prime Sponsor, Committee on Civil Rights & Judiciary: Addressing military spouse employment. Reported by Committee on State Government, Tribal Relations & Elections

EHB 2797 Prime Sponsor, Representative Robinson: Concerning the sales and use tax for affordable and supportive housing. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair;

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Darneille and Saldaña.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Fortunato, Assistant Ranking Member; Zeiger, Ranking Member and Warnick.

Referred to Committee on Ways & Means.

February 28, 2020

ESHB 2816 Prime Sponsor, Committee on Education: Nurturing positive social and emotional school and classroom climates. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 28, 2020

HB 2837 Prime Sponsor, Representative Boehnke: Expanding powers granted to state historical societies. Reported by Committee on State Government, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Muzzall, Assistant Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Hasegawa; Hawkins and Takko.

Referred to Committee on Rules for second reading.

February 28, 2020

ESHB 2849 Prime Sponsor, Committee on Capital Budget: Concerning housing programs administered by the department of commerce. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass as amended. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Ways & Means.

February 28, 2020

HB 2853 Prime Sponsor, Representative Harris: Promoting the effective and efficient administration of the Washington state charter school commission. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Ways & Means.

February 28, 2020

HB 2860 Prime Sponsor, Representative Orcutt: Concerning the Washington plane coordinate system. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

February 28, 2020

2SHB 2864 Prime Sponsor, Committee on Appropriations: Establishing a running start summer school pilot program. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Pedersen; Salomon and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Ways & Means.

February 28, 2020

EHB 2896 Prime Sponsor, Representative Ryu: Concerning the use of surplus property for public benefit. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass. Signed by Senators Kuderer, Chair; Das, Vice Chair; Darneille and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senators Fortunato, Assistant Ranking Member; Zeiger, Ranking Member and Warnick.

Referred to Committee on Ways & Means.

February 28, 2020

ESHB 2919 Prime Sponsor, Committee on Finance: Adjusting the amount and use of county fees on the real estate excise tax. Reported by Committee on Housing Stability & Affordability

MAJORITY recommendation: Do pass as amended. Signed by Senators Fortunato, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Zeiger, Ranking Member; Darneille; Saldaña and Warnick.

Referred to Committee on Ways & Means.

February 28, 2020

HJM 4012 Prime Sponsor, Representative Lekanoff: Recognizing the international year of the salmon. Reported by Committee on Agriculture, Water, Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Van De Wege, Chair; Salomon, Vice Chair; Warnick, Ranking Member; Honeyford; McCoy; Rolfes and Short.

Referred to Committee on Rules for second reading.

February 28, 2020

SGA 9283 SUSANA REYES, appointed on March 15, 2019, for the term ending January 12, 2022, 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 Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 28, 2020

SGA 9313 TENESHA FREMSTAD, appointed on July 16, 2019, for the term ending June 30, 2022, 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 Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 28, 2020

SGA 9350 F. MARIBEL VILCHEZ, appointed on November 19, 2019, for the term ending June 30, 2023, 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 Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 28, 2020

SGA 9351 WESLEY HENSON, appointed on November 20, 2019, for the term ending July 1, 2024, as Member of the Washington Center for Deaf and Hard of Hearing Youth. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 28, 2020

SGA 9363 JENNIFER G. ACUNA, appointed on December 17, 2019, for the term ending July 1, 2024, as Member of the Washington Center for Deaf and Hard of Hearing Youth. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 28, 2020

SGA 9366 ROBERT HAND, appointed on January 20, 2020, for the term ending June 30, 2023, 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 Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 28, 2020

SGA 9390 ANN M. ROBBINS, appointed on February 4, 2020, for the term ending June 30, 2022, 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 Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

MOTION

On motion of Liias, all measures listed on the Supplemental Standing Committee report were referred to the committees as designated with the exception of Engrossed Substitute House Bill No. 2220 which had been designated to the Committee on Rules and was referred to the Committee on Ways & Means.

MOTION

At 5:08 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Monday, March 2, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FIFTIETH DAY**NOON SESSION**

Senate Chamber, Olympia
Monday, March 2, 2020

The Senate was called to order at 12:01 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

MOTIONS

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

Pursuant to Rule 46, on motion of Senator Liias, and without objection, the Committee on Ways & Means was granted special leave to meet during the day's floor session.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 2, 2020

SB 5628 Prime Sponsor, Senator Cleveland: Concerning the classification of heavy equipment rental property as inventory. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5628 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Transportation.

February 28, 2020

SB 6172 Prime Sponsor, Senator Braun: Extending the business and occupation tax exemption for amounts received as credits against contracts with or funds provided by the Bonneville power administration and used for low-income ratepayer assistance and weatherization. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead and Schoesler.

Referred to Committee on Rules for second reading.

February 28, 2020

SB 6654 Prime Sponsor, Senator Mullet: Providing that qualified dealer cash incentives paid to auto dealers are bona fide

discounts for purposes of the business and occupation tax. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Conway; Darneille; Hasegawa; Hunt; Keiser; Muzzall; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Frockt, Vice Chair, Operating, Capital Lead.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle; Dhingra and Pedersen.

Referred to Committee on Rules for second reading.

February 28, 2020

HB 1347 Prime Sponsor, Representative Barkis: Concerning vehicle reseller permits. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 29, 2020

2SHB 1645 Prime Sponsor, Committee on Human Services & Early Learning: Certifying parental improvement. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senator Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Schoesler; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 28, 2020

HB 2051 Prime Sponsor, Representative Lovick: Concerning firefighters and law enforcement officers pension and disability boards. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 28, 2020

HB 2189 Prime Sponsor, Representative Leavitt: Including specified competency restoration workers at department of social and health services institutional and residential sites in the public safety employees retirement system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 28, 2020

HB 2340 Prime Sponsor, Representative Fitzgibbon: Modifying the definition of index for the Washington state patrol retirement system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 29, 2020

HB 2542 Prime Sponsor, Representative Paul: Concerning tuition waivers for children of eligible veterans. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 29, 2020

SHB 2711 Prime Sponsor, Committee on Education: Increasing equitable educational outcomes for foster care and

homeless children and youth from prekindergarten to postsecondary education. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Pedersen; Rivers; Van De Wege; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Schoesler and Wagoner.

Referred to Committee on Rules for second reading.

February 28, 2020

SHB 2787 Prime Sponsor, Committee on Human Services & Early Learning: Completing the transfer of the early support for infants and toddlers program from the office of the superintendent of public instruction to the department of children, youth, and families. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 28, 2020

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2322, and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Liias, and without objection, the rules were suspended and Engrossed Substitute House Bill No. 2322, making supplemental transportation appropriations for the 2019-2021 fiscal biennium, was placed on the 2nd Reading Calendar.

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6694 by Senator Ericksen

AN ACT Relating to business and occupation tax fairness for Washington manufacturers; amending RCW 82.04.240, 82.04.240, 82.04.280, 82.32.850, and 82.32.790; reenacting and amending RCW 82.04.260; creating a new section; providing an effective date; and providing a contingent effective date.

Referred to Committee on Ways & Means.

SB 6695 by Senators Liias and Warnick

AN ACT Relating to broadening the eligibility requirements and extending the expiration date for the data center tax incentive; amending RCW 82.08.986 and 82.12.986; creating new sections; and providing expiration dates.

Referred to Committee on Ways & Means.

SHB 2032 by House Committee on Finance (originally sponsored by Tarleton, Morris, Ryu, Springer and Macri)

AN ACT Relating to providing a tax deferral for the expansion of certain existing public facilities district convention centers; adding a new section to chapter 36.100 RCW; creating new sections; prescribing penalties; and providing an effective date.

Referred to Committee on Ways & Means.

ESHB 2248 by House Committee on Environment & Energy (originally sponsored by Doglio, DeBolt, Fey, Lekanoff, Fitzgibbon, Shewmake, Leavitt, Ramel, Ryu, Tarleton, Appleton, Ramos, Slatter, Ormsby, Macri, Wylie, Kloba, Goodman, Peterson, Hudgins, Pollet and Tharinger)

AN ACT Relating to expanding equitable access to the benefits of renewable energy through community solar projects; amending RCW 82.16.130, 82.16.160, 82.16.165, 82.16.170, 80.60.005, 82.16.110, 82.16.120, 82.16.150, and 82.16.155; adding new sections to chapter 82.16 RCW; creating new sections; providing expiration dates; and declaring an emergency.

Referred to Committee on Ways & Means.

ESHB 2880 by House Committee on Finance (originally sponsored by Dent, Chandler and Barkis)

AN ACT Relating to sales and use tax exemptions for aircraft fuel used for research and development purposes; 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.

HB 2903 by Representatives Chapman, Stokesbary, Chambers, Gildon, Tharinger and Senn

AN ACT Relating to providing that qualified dealer cash incentives paid to auto dealers are bona fide discounts for purposes of the business and occupation tax; adding a new

section to chapter 82.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator McCoy moved adoption of the following resolution:

SENATE RESOLUTION 8703

By Senators McCoy and Nguyen

WHEREAS, The United States, at the urging of and in support of the Christian churches of that time, adopted the Indian Civilization Fund Act on March 3, 1819, to provide financial support for church run schools to "civilize" Native American children through an education program intended to eradicate Native American culture; and

WHEREAS, In 1869, the United States, in concert with and the urging of several denominations of the Christian Church, adopted the Indian Boarding School Policy or "Peace Policy" for the removal and reprogramming of Native American children to ensure the systematic destruction of indigenous cultures and communities; and

WHEREAS, The Indian Boarding School Policy was a deliberate policy of cultural genocide, founded on the assimilationist directive to "Kill the Indian and save the man"; and

WHEREAS, Between 1869 and the 1960s, Native American children were removed from their homes and families, often involuntarily, and placed in Boarding Schools far from their homes which were funded by the federal government and operated by the federal government and churches, where children were punished for speaking their native language, banned from acting in any way that might be seen as representing traditional or cultural practices, shorn of their hair, stripped of traditional clothing and all things and behaviors reflective of their native culture, and shamed for being Native American; and

WHEREAS, The prevailing attitudes of the time allowed for the neglect and abuse of children who were overseen but not parented, who were bullied and assaulted not only by the adults but also by older children under the modeling and instruction of the caretakers and staff, and who were neglected as a whole through the denial of adequate food and medical care; and

WHEREAS, These children observed and suffered physical, emotional, cultural, spiritual, psychological, and sexual abuse, and punishment by physical restraints, beatings, and isolation in inhospitable surroundings; and

WHEREAS, There were more than 350 Indian Boarding schools across the United States, located within 30 States, which included 14 Indian Boarding schools in Washington state; and

WHEREAS, These children, their children, and now their grandchildren and great-grandchildren, bear the burden of the legacy of the boarding schools and the federal policy that

FIFTIETH DAY, MARCH 2, 2020

2020 REGULAR SESSION

established and sustained those schools, where the children suffered trauma that has gone unrecognized and unresolved, and has been passed onto each subsequent generation; and

WHEREAS, This historical and inter-generational trauma continues to devastate, undermine, and negatively impact Native American individuals, families, and communities; and

WHEREAS, The United States has not offered a meaningful acknowledgment of responsibility or offered to provide any redress for the generations of harm caused by the deliberate imposition of the policy of cultural genocide on the Native American children, families, communities, tribes, Pueblos, or Alaskan Villages;

NOW, THEREFORE, BE IT RESOLVED, That the Senate pause to acknowledge the two hundred first anniversary of the signing of the Indian Civilization Fund Act; to recognize and remember the surviving children of Indian Boarding Schools, their children, grandchildren, and great-grandchildren, and to honor their resiliency and determination to endure such atrocities.

Senators McCoy and Wilson, C. 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 McCoy carried and the resolution was adopted by voice vote.

MOTION

Senator Billig moved adoption of the following resolution:

SENATE RESOLUTION
8699

By Senator Billig

WHEREAS, In the fall of 1964, a sophomore named Don Kardong started running for his Seattle Prep cross country team to stay in shape for basketball season; and

WHEREAS, After realizing his running talent outpaced his skills on the hardwood, Kardong would go on to run for Stanford, competing on the track against legends Steve Prefontaine and Frank Shorter; and

WHEREAS, After graduating from Stanford, Kardong ran his first marathon in 1972 in a time of 2:18:06; and

WHEREAS, In 1976, Kardong finished third in the U.S. Olympic Marathon Trials and went on to finish fourth in the 1976 Montreal Olympics, with a personal best time of 2:11:16; and

WHEREAS, In 1974, Kardong moved to Spokane to teach at Loma Vista Elementary School and in 1977 opened "The Human Race" – the city's first specialty running store; and

WHEREAS, When Kardong returned to Spokane after winning the 1976 Peachtree Road Race in Atlanta, he mentioned to a newspaper reporter that Spokane would be a great place for a big road race; and

WHEREAS, In the spring of 1977, the Lilac Bloomsday Run was born with more than one thousand participants, surprising Kardong and other organizers who expected a smaller turnout and printed only five hundred entry forms; and

WHEREAS, Kardong's Bloomsday event would become Spokane's signature sporting event and one of largest road races in the world, attracting more than sixty thousand runners of all levels and abilities by the early 1990s; and

WHEREAS, In 2004, Kardong would take the reins of Bloomsday once again as Race Director, a title he would hold until last year when he announced his retirement; and

WHEREAS, Kardong's long career as a writer opened up new running possibilities, including an 11-hour Rim-to-Rim double crossing of the Grand Canyon and a memorable account of running around Mount St. Helens; and

WHEREAS, Kardong's passion for running and willingness to share it with others in numerous venues has inspired countless people in Spokane and beyond to live healthier lives and discover their own love of running;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize the multifaceted career of Don Kardong and the contributions he has made to the community of Spokane and across the country.

Senator Billig 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 Billig carried and the resolution was adopted by voice vote.

MOTION

Senator Cleveland moved adoption of the following resolution:

SENATE RESOLUTION
8702

By Senators Cleveland and Nguyen

WHEREAS, The perennial concern over seasonal influenza has been heightened this year by the outbreak of coronavirus; and

WHEREAS, The Centers for Disease Control and Prevention has issued a warning that the United States must be prepared for the possible spread of coronavirus; and

WHEREAS, Flus and other serious respiratory illnesses, like respiratory syncytial virus (RSV), whooping cough, and severe acute respiratory syndrome (SARS), are spread by cough, sneezing, or unclean hands; and

WHEREAS, In keeping with our commitment to putting people first, it is critical that we all do our part as leaders to model best practices for infection control; and

WHEREAS, Model practices include vigilant hand hygiene, proper cough and sneeze etiquette, annual vaccinations, receiving flu antiviral drugs, and regular cleaning and disinfection of frequently touched surfaces at home, work, or school, especially when someone is ill; and

WHEREAS, Healthy practices further include getting plenty of sleep, being physically active, managing stress, drinking plenty of fluids, and eating nutritious food; and

WHEREAS, Even the best preventive measures cannot completely eliminate the spread or threat of flus; and

WHEREAS, Those who are not sick are advised to avoid close contact with people who are sick and to wash their hands frequently; and

WHEREAS, Those who are sick are advised to keep their distance from others to protect them from getting sick too and, where possible, to stay home from work or school and avoid other public venues;

NOW, THEREFORE, BE IT RESOLVED, That the Senate endorse and encourage the promotion, sharing, and posting of practices to prevent or reduce the spread of flu and limit the spread of other contagious diseases in Washington state.

Senator 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. 8702.

The motion by Senator Cleveland carried and the resolution was adopted by voice vote.

MOTION

At 12:24 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of reading in fiscal committee reports later in the day.

EVENING SESSION

The Senate was called to order at 11:55 p.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate reverted to the first order of business.

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

March 2, 2020

SB 6231 Prime Sponsor, Senator Kuderer: Providing a limited property tax exemption for the construction of accessory dwelling units. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6231 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Wagoner.

Referred to Committee on Rules for second reading.

March 2, 2020

SB 5628 Prime Sponsor, Senator Cleveland: Concerning the classification of heavy equipment rental property as inventory. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5628 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Ways & Means.

March 2, 2020

SB 6331 Prime Sponsor, Senator Mullet: Concerning captive insurers. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6331 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital

Budget Cabinet; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital and Warnick.

Referred to Committee on Rules for second reading.

March 2, 2020

SB 6690 Prime Sponsor, Senator Liias: Concerning aerospace business and occupation taxes and world trade organization compliance. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Dhingra; Hunt; Liias; Muzzall; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Conway; Darneille; Hasegawa; Keiser and Pedersen.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 1154 Prime Sponsor, Committee on Capital Budget: Concerning the financing of Chehalis basin flood damage reduction and habitat restoration projects. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle and Pedersen.

Referred to Committee on Rules for second reading.

February 29, 2020

HB 1201 Prime Sponsor, Representative Kilduff: Concerning the Washington national guard postsecondary education grant program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

FIFTIETH DAY, MARCH 2, 2020

2020 REGULAR SESSION

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 1255 Prime Sponsor, Committee on Transportation: Creating Patches pal special license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 1256 Prime Sponsor, Committee on Transportation: Increasing monetary penalties for the unlawful use of a personal electronic device while driving a motor vehicle in a school, playground, or crosswalk speed zone. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

March 2, 2020

E2SHB 1272 Prime Sponsor, Committee on Appropriations: Concerning school lunch durations. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Pedersen and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Becker; Van De Wege; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Muzzall and Schoesler.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 1293 Prime Sponsor, Committee on Appropriations: Concerning the distribution of monetary penalties to local courts and state agencies paid for failure to comply with discover pass requirements. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating,

Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hunt; Keiser; Liias; Muzzall; Pedersen; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

MINORITY recommendation: Do not pass. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

March 2, 2020

EHB 1390 Prime Sponsor, Representative Leavitt: Providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

ESHB 1422 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning the protection of vulnerable adults. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

ESHB 1622 Prime Sponsor, Committee on Rural Development, Agriculture, & Natural Resources: Concerning drought preparedness and response. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen; Schoesler; Van De Wege and Warnick.

MINORITY recommendation: Do not pass. Signed by Senator Muzzall.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking

Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Rivers; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

2SHB 1661 Prime Sponsor, Committee on Appropriations: Concerning the higher education retirement plans. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

E3SHB 1775 Prime Sponsor, Committee on Appropriations: Protecting commercially sexually exploited children. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

E2SHB 1783 Prime Sponsor, Committee on Appropriations: Creating the Washington state office of equity. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

ESHB 1793 Prime Sponsor, Committee on Transportation: Establishing additional uses for automated traffic safety cameras for traffic congestion reduction and increased safety. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair;

Cleveland; Das; Lovelett; Nguyen; Randall; Takko and Wilson, C.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Sheldon, Assistant Ranking Member; Fortunato; O'Ban; Padden and Zeiger.

Referred to Committee on Rules for second reading.

March 2, 2020

ESHB 1813 Prime Sponsor, Committee on Appropriations: Incorporating the costs of employee health benefits into school district contracts for pupil transportation. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Becker and Carlyle.

MINORITY recommendation: Do not pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Muzzall; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

2SHB 1888 Prime Sponsor, Committee on Appropriations: Protecting employee information from public disclosure. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Rivers; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

EHB 1948 Prime Sponsor, Representative Entenman: Supporting warehousing and manufacturing job centers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Billig; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Van De Wege and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Warnick and Wilson, L.

FIFTIETH DAY, MARCH 2, 2020

2020 REGULAR SESSION

MINORITY recommendation: Do not pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Honeyford, Assistant Ranking Member, Capital; Becker; Carlyle; Pedersen and Schoesler.

associated with certain criminal offenses. Reported by Committee on Transportation

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

March 2, 2020

HB 2013 Prime Sponsor, Representative Van Werven: Providing for allied forces veteran remembrance emblems. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

March 2, 2020
ESHB 2085 Prime Sponsor, Committee on Transportation: Creating Mount St. Helens special license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Saldaña, Vice Chair.

Referred to Committee on Rules for second reading.

February 28, 2020

SHB 2017 Prime Sponsor, Committee on Appropriations: Concerning collective bargaining for administrative law judges. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Pedersen and Van De Wege.

March 2, 2020
ESHB 2116 Prime Sponsor, Committee on Education: Establishing a task force on improving institutional education programs and outcomes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Pedersen; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Muzzall and Schoesler.

Referred to Committee on Rules for second reading.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Rivers.

Referred to Committee on Rules for second reading.

March 2, 2020

E2SHB 2050 Prime Sponsor, Committee on Transportation: Creating Washington wine special license plates. Reported by Committee on Transportation

March 2, 2020
EHB 2166 Prime Sponsor, Representative Orcutt: Creating special license plates that support working forests. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Hobbs, Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Saldaña, Vice Chair.

Referred to Committee on Rules for second reading.

MAJORITY recommendation: Do pass as amended. Signed by Senators Hobbs, Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Saldaña, Vice Chair.

Referred to Committee on Rules for second reading.

March 2, 2020

2SHB 2066 Prime Sponsor, Committee on Transportation: Addressing restrictions on driver's licenses

March 2, 2020
SHB 2187 Prime Sponsor, Committee on Transportation: Creating Washington state women veterans

special license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

March 2, 2020

EHB 2188 Prime Sponsor, Representative Leavitt: Increasing the types of commercial driver's license qualification waivers allowed for military veterans. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

March 2, 2020

HB 2197 Prime Sponsor, Representative Thai: Establishing an exception to the requirement that vehicle license plates be visible at all times for vehicles using certain cargo carrying devices. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

March 2, 2020

EHB 2228 Prime Sponsor, Representative Springer: Permitting early deployment of state fire service resources. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Van De Wege.

Referred to Committee on Rules for second reading.

March 2, 2020

HB 2230 Prime Sponsor, Representative Gregerson: Subjecting federally recognized Indian tribes to the same conditions as state and local governments for property owned exclusively by the tribe. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Becker; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

HB 2242 Prime Sponsor, Representative Wylie: Concerning travel trailers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 2244 Prime Sponsor, Committee on Transportation: Concerning the authorization of wheeled all-terrain vehicles on state highways. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Lovelett.

Referred to Committee on Rules for second reading.

March 2, 2020

HB 2271 Prime Sponsor, Representative Duerr: Correcting a reference to an omnibus transportation appropriations act within a prior authorization of general obligation bonds for transportation funding. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

March 2, 2020

2SHB 2277 Prime Sponsor, Committee on Appropriations: Concerning youth solitary confinement. Reported by Committee on Ways & Means

FIFTIETH DAY, MARCH 2, 2020

2020 REGULAR SESSION

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Van De Wege and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Becker and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 2287 Prime Sponsor, Committee on Transportation: Addressing the assessment of rail safety governance in Washington state. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 2302 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning child support, but only with respect to standards for determination of income, abatement of child support for incarcerated obligors, modification of administrative orders, and notices of support owed. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Van De Wege and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 2308 Prime Sponsor, Committee on Appropriations: Requiring employers to periodically report standard occupational classifications or job titles of workers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Schoesler and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Capital Budget Cabinet; Muzzall; Wagoner and Warnick.

Referred to Committee on Rules for second reading.

March 2, 2020

E2SHB 2311 Prime Sponsor, Committee on Appropriations: Amending state greenhouse gas emission limits for consistency with the most recent assessment of climate change science. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Rivers; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

ESHB 2327 Prime Sponsor, Committee on College & Workforce Development: Addressing sexual misconduct at postsecondary educational institutions. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

ESHB 2342 Prime Sponsor, Committee on Environment & Energy: Aligning the timing of comprehensive plan updates required by the growth management act with the timing of shoreline master program updates required by the shoreline management act. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Darneille;

Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

February 28, 2020

HB 2352 Prime Sponsor, Representative Tharinger: Concerning the building for the arts program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Capital Budget Cabinet; Braun, Ranking Member; Schoesler and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Rivers.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 2353 Prime Sponsor, Committee on Transportation: Providing for fire trailer vehicle registration and license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 29, 2020

HB 2380 Prime Sponsor, Representative Tharinger: Changing the home care agency vendor rate and repealing electronic timekeeping. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 2384 Prime Sponsor, Committee on Finance: Concerning the property tax exemption for nonprofit organizations providing rental housing or mobile home park

spaces to qualifying households. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Van De Wege and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker; Schoesler and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

2SHB 2386 Prime Sponsor, Committee on Appropriations: Creating the state office of the behavioral health ombuds. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

March 2, 2020

E2SHB 2405 Prime Sponsor, Committee on Appropriations: Concerning commercial property assessed clean energy and resilience. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Schoesler; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 2419 Prime Sponsor, Committee on Health Care & Wellness: Studying barriers to the use of the Washington death with dignity act. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen; Rivers; Van De Wege and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Schoesler; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Carlyle.

Referred to Committee on Rules for second reading.

March 2, 2020

ESHB 2421 Prime Sponsor, Committee on Appropriations: Concerning state reimbursement of election costs. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 2426 Prime Sponsor, Committee on Health Care & Wellness: Protecting patient safety in psychiatric hospitals and other health care facilities. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Schoesler; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Wagoner.

Referred to Committee on Rules for second reading.

March 2, 2020

EHB 2440 Prime Sponsor, Representative Kilduff: (REVISED FOR ENGROSSED: Concerning a medical alert designation on driver's licenses and identicards.) Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 2441 Prime Sponsor, Committee on Appropriations: Improving access to temporary assistance for needy families. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

March 2, 2020

HB 2442 Prime Sponsor, Representative Leavitt: Regulating online services and applications that are directed at minors. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

ESHB 2455 Prime Sponsor, Committee on Human Services & Early Learning: Supporting access to child care for parents who are attending high school or working toward completion of a high school equivalency certificate. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking

Member; Brown, Assistant Ranking Member, Operating; Becker; Muzzall; Schoesler; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Wagoner.

Referred to Committee on Rules for second reading.

March 2, 2020
SHB 2456 Prime Sponsor, Committee on Appropriations: Concerning working connections child care eligibility. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Pedersen; Van De Wege and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Muzzall; Schoesler and Warnick.

Referred to Committee on Rules for second reading.

March 2, 2020
2SHB 2457 Prime Sponsor, Committee on Appropriations: Establishing the health care cost transparency board. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Schoesler; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Wagoner.

Referred to Committee on Rules for second reading.

February 29, 2020
HB 2458 Prime Sponsor, Representative Stonier: Concerning optional benefits offered by school districts. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

March 2, 2020
E2SHB 2467 Prime Sponsor, Committee on Appropriations: Establishing a centralized single point of contact background check system for firearms transfers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun, Ranking Member.

MINORITY recommendation: Do not pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020
HB 2491 Prime Sponsor, Representative Ramos: Authorizing the governor to enter into compacts with federally recognized Indian tribes principally located within Washington state for the issuance of tribal license plates and vehicle registration. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

March 2, 2020
2SHB 2499 Prime Sponsor, Committee on Appropriations: Certifying corrections officers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Muzzall; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital and Becker.

Referred to Committee on Rules for second reading.

March 2, 2020

FIFTIETH DAY, MARCH 2, 2020

2020 REGULAR SESSION

EHB 2501 Prime Sponsor, Representative Eslick: Concerning allowable uses for the multiuse roadway safety account. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 28, 2020

SHB 2525 Prime Sponsor, Committee on Human Services & Early Learning: Establishing the family connections program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

E2SHB 2528 Prime Sponsor, Committee on Appropriations: Recognizing the contributions of the state's forest products sector as part of the state's global climate response. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

MINORITY recommendation: Do not pass. Signed by Senator Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 2544 Prime Sponsor, Committee on Appropriations: Concerning the definition of veteran. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L..

Referred to Committee on Rules for second reading.

February 28, 2020

SHB 2554 Prime Sponsor, Committee on Health Care & Wellness: Mitigating inequity in the health insurance market caused by health plans that exclude certain mandated benefits. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Rivers; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 2555 Prime Sponsor, Committee on Civil Rights & Judiciary: Concerning background check requirements for firearms classified as other under federal firearms laws. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 29, 2020

EHB 2584 Prime Sponsor, Representative Caldier: Establishing rates for behavioral health services. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

March 2, 2020

HB 2587 Prime Sponsor, Representative Ramel: Establishing a program for the designation of state scenic bikeways. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating,

Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen; Van De Wege; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Muzzall and Wagoner.

Referred to Committee on Rules for second reading.

February 29, 2020

HB 2601 Prime Sponsor, Representative Tharinger: Concerning the authority of the parks and recreation commission to approve leases. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Billig; Carlyle; Conway; Darneille; Hunt; Keiser; Liias; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Hasegawa; Muzzall and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 2607 Prime Sponsor, Committee on Human Services & Early Learning: Assisting homeless individuals in obtaining Washington state identicards. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: Do not pass. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

March 2, 2020

HB 2619 Prime Sponsor, Representative Shewmake: Increasing early learning access through licensing, eligibility, and rate improvements. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

February 28, 2020

ESHB 2625 Prime Sponsor, Committee on Finance: Concerning local parks funding options. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Brown, Assistant Ranking Member, Operating; Becker; Billig; Conway; Darneille; Dhingra; Keiser; Liias; Muzzall; Rivers; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Mullet, Capital Budget Cabinet; Pedersen and Schoesler.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Carlyle; Hasegawa; Hunt; Van De Wege and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

ESHB 2638 Prime Sponsor, Committee on Commerce & Gaming: Authorizing sports wagering subject to the terms of tribal-state gaming compacts. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Van De Wege and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senators Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Rivers and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Becker; Schoesler and Warnick.

Referred to Committee on Rules for second reading.

March 2, 2020

HB 2641 Prime Sponsor, Representative Fey: Authorizing cities to provide passenger-only ferry service. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

March 2, 2020

ESHB 2642 Prime Sponsor, Committee on Health Care & Wellness: Removing health coverage barriers to accessing

FIFTIETH DAY, MARCH 2, 2020

2020 REGULAR SESSION

substance use disorder treatment services. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

ESHB 2645 Prime Sponsor, Committee on Environment & Energy: Concerning the photovoltaic module stewardship and takeback program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford, Assistant Ranking Member, Capital.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker; Schoesler and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

ESHB 2660 Prime Sponsor, Committee on Education: Increasing the availability of school meals provided to public school students at no student cost. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

E2SHB 2662 Prime Sponsor, Committee on Appropriations: Reducing the total cost of insulin. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating,

Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker and Schoesler.

Referred to Committee on Rules for second reading.

March 2, 2020

HB 2669 Prime Sponsor, Representative Sullivan: Creating Seattle NHL hockey special license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

March 2, 2020

ESHB 2676 Prime Sponsor, Committee on Transportation: Establishing minimum requirements for the testing of autonomous vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and Padden.

Referred to Committee on Rules for second reading.

March 2, 2020

HB 2680 Prime Sponsor, Representative Chapman: Establishing tribal representation on the emergency management council. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 2684 Prime Sponsor, Committee on Transportation: Concerning traffic control signals. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Randall; Takko; Wilson, C. and Zeiger.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member Sheldon, Assistant Ranking Member.

MINORITY recommendation: Do not pass. Signed by Senator Padden.

Referred to Committee on Rules for second reading.

February 28, 2020

HB 2691 Prime Sponsor, Representative Valdez: Concerning the scope of collective bargaining for language access providers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Pedersen; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

ESHB 2713 Prime Sponsor, Committee on State Government & Tribal Relations: Encouraging compost procurement and use. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

ESHB 2722 Prime Sponsor, Committee on Environment & Energy: Concerning minimum recycled content requirements. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Wagoner; Warnick and Wilson, L..

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

March 2, 2020

ESHB 2723 Prime Sponsor, Committee on Transportation: Addressing off-road vehicle and snowmobile registration enforcement. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

February 29, 2020

SHB 2728 Prime Sponsor, Committee on Appropriations: Implementing a sustainable funding model for the services provided through the children's mental health services consultation program and the telebehavioral health video call center. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford, Assistant Ranking Member, Capital and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

ESHB 2731 Prime Sponsor, Committee on Education: (REVISED FOR ENGROSSED: Reporting of information about diagnosed concussions of students sustained during athletics and other activities.) Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

2SHB 2737 Prime Sponsor, Committee on Appropriations: Updating the children's mental health work group. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

March 2, 2020

HB 2749 Prime Sponsor, Representative Orwall: Authorizing an extension of time for certain cities to decline to partner with the department of revenue for the issuance or renewal of general business licenses. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

HB 2763 Prime Sponsor, Representative Chapman: Concerning interest arbitration for department of corrections employees. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Conway; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 2803 Prime Sponsor, Committee on Finance: Authorizing the governor to enter into compacts with Indian tribes addressing certain state retail sales tax, certain state use tax, and certain state business and occupation tax revenues, as specified in a memorandum of understanding entered into by the state, Tulalip tribes, and Snohomish county, in January 2020, and including other terms necessary for the department of revenue to administer any such compact. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating,

Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen; Rivers and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

HB 2826 Prime Sponsor, Representative Peterson: Clarifying the authority of the liquor and cannabis board to regulate marijuana vapor products. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Becker; Billig; Carlyle; Darneille; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford, Assistant Ranking Member, Capital.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 2905 Prime Sponsor, Committee on Appropriations: Increasing outreach and engagement with access to baby and child dentistry programs. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Rivers; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

HJM 4016 Prime Sponsor, Representative Riccelli: Requesting to commence proceedings in naming state route number 902 the Gold Star Memorial Highway. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; Nguyen; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

Referred to Committee on Rules for second reading.

March 2, 2020

SB 5147 Prime Sponsor, Senator Wilson, L.: Providing tax relief to females by exempting feminine hygiene products from retail sales and use tax. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5147 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

SB 6254 Prime Sponsor, Senator Kuderer: Protecting public health and safety by enhancing the regulation of vapor products. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6254 be substituted therefor, and the second substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Hasegawa; Muzzall; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

HB 1368 Prime Sponsor, Representative Springer: Reauthorizing the business and occupation tax deduction for cooperative finance organizations. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Conway; Dhingra; Hasegawa; Hunt; Keiser; Muzzall; Schoesler; Van De Wege; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Frockt, Vice Chair, Operating, Capital Lead; Braun, Ranking Member; Carlyle; Pedersen and Wagoner.

Referred to Committee on Rules for second reading.

March 2, 2020

E2SHB 1521 Prime Sponsor, Committee on Appropriations: Providing for accountability and transparency in government contracting. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle;

Conway; Darneille; Dhingra; Hunt; Keiser; Liias; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall; Schoesler; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating and Hasegawa.

Referred to Committee on Rules for second reading.

March 2, 2020

2SHB 2513 Prime Sponsor, Committee on Appropriations: Prohibiting the practice of transcript withholding and limiting the practice of registration holds at institutions of higher education as debt collection practices. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Mullet, Capital Budget Cabinet; Brown, Assistant Ranking Member, Operating; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Rolfes, Chair; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Becker; Schoesler; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 2543 Prime Sponsor, Committee on College & Workforce Development: Ensuring eligible veterans and their dependents qualify for in-state residency. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

March 2, 2020

SHB 2556 Prime Sponsor, Committee on Human Services & Early Learning: Providing regulatory relief for early learning providers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

FIFTIETH DAY, MARCH 2, 2020

2020 REGULAR SESSION

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

March 2, 2020

March 2, 2020

HB 2596 Prime Sponsor, Representative Boehnke: Fostering economic growth in Washington by supporting emerging businesses in the new space economy. Reported by Committee on Ways & Means

2SHB 2793 Prime Sponsor, Committee on Appropriations: Vacating criminal records. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Pedersen.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

March 2, 2020

HB 2853 Prime Sponsor, Representative Harris: Promoting the effective and efficient administration of the Washington state charter school commission. Reported by Committee on Ways & Means

March 2, 2020
SHB 2768 Prime Sponsor, Committee on Rural Development, Agriculture, & Natural Resources: Concerning urban and community forestry. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Dhingra; Keiser; Liias; Muzzall; Pedersen; Schoesler; Wagoner; Warnick and Wilson, L.

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Pedersen; Van De Wege and Wagoner.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway; Darneille; Hasegawa and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Muzzall and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senator Hunt.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Schoesler and Warnick.

Referred to Committee on Rules for second reading.

Referred to Committee on Rules for second reading.

March 2, 2020

March 2, 2020
ESHB 2786 Prime Sponsor, Committee on Appropriations: Establishing the opioid epidemic response advisory council. Reported by Committee on Ways & Means

2SHB 2864 Prime Sponsor, Committee on Appropriations: Establishing a running start summer school pilot program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen and Van De Wege.

MAJORITY recommendation: Do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker; Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege; Wagoner; Warnick and Wilson, L.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Warnick and Wilson, L.

Referred to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Schoesler and Wagoner.

March 2, 2020

HB 2926 Prime Sponsor, Representative Maycumber: Expanding access to critical incident stress management programs. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet;

Billig; Carlyle; Conway; Darneille; Dhingra; Hasegawa; Hunt; Keiser; Liias; Muzzall; Pedersen; Schoesler; Van De Wege and Wagoner.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Assistant Ranking Member, Capital; Becker and Wilson, L.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Ranking Member; Brown, Assistant Ranking Member, Operating and Warnick.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Liias, all measures listed on the Supplemental Standing Committee report and the Second Supplemental Standing Committee report were referred to the committees as designated.

MOTION

At 11:56 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Tuesday, March 3, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FIFTY FIRST DAY

MORNING SESSION

8704

Senate Chamber, Olympia
Tuesday, March 3, 2020

The Senate was called to order at 10:04 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Avery Ackley-Speights and Miss Jaden Orr, presented the Colors. Page Mr. Skye Luebbe Davidson led the Senate in the Pledge of Allegiance. The prayer was offered by The Most Reverend Joseph Tyson, Bishop of the Roman Catholic Diocese of Yakima.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Liias, 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.

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6696 by Senators O'Ban, Braun, Becker, Rivers, Schoesler, Brown, Warnick, Honeyford, Muzzall and Wagoner
AN ACT Relating to making expenditures from the budget stabilization account for declared catastrophic events; making an appropriation; creating new sections; and declaring an emergency.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Liias, the measure listed on the Introduction and First Reading report was referred to the committees as designated.

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Kuderer moved adoption of the following resolution:

SENATE RESOLUTION

By Senators Kuderer, Hunt, Das, Wellman, Mullet, Takko, Dhingra, Conway, Saldaña, Lovelett, Nguyen, Hobbs, Cleveland, Wilson, C., Keiser, Pedersen, Carlyle, Billig, Frockt, Randall, Darneille, McCoy, Van De Wege, Liias, Hasegawa, and King

WHEREAS, Ken Jennings was born in Edmonds, Washington, on May 23, 1974, and grew up watching *Jeopardy!*; and

WHEREAS, Ken Jennings, who played Quiz Bowl in college, was invited to compete on *Jeopardy!* for the first time on the June 2, 2004, episode of the 20th season; and

WHEREAS, Many current Quiz Bowl champs covet his renowned "Potent Potables" flashcards; and

WHEREAS, Ken Jennings won 74 consecutive appearances on *Jeopardy!* making him a giant in the eyes of Alex Trebek and the history of *Jeopardy!*; and

WHEREAS, Ken Jennings set a world record for most cash won on a game show and a *Jeopardy!* record for the longest streak of wins; and

WHEREAS, Ken Jennings became known across the country as "the Michael Jordan of trivia, the Seabiscuit of geekdom"; and

WHEREAS, Ken Jennings has a strong Kennection to Washington and lives in the City of Seattle; and

WHEREAS, Ken Jennings is a prolific author and has shared his genius with children through his *Junior Genius Guides* series; and

WHEREAS, Seattle Times readers are inspired by his choice in books and all copies of "The New Dictionary of Cultural Literacy" are currently on hold at local libraries; and

WHEREAS, If *Jeopardy!* gave out rings, he would certainly be a lord of them; and

WHEREAS, Ken Jennings may not be smarter than a 5th grader, but is unquestionably a brilliant mind; and

WHEREAS, Ken Jennings knows without help from Watson or the computer overlords that Iago has 272 speeches, the most of any nontitle character in a Shakespeare tragedy; and

WHEREAS, Ken Jennings won the Greatest of All Time Championship game of *Jeopardy!* on January 14, 2020; and

WHEREAS, Becoming a G.O.A.T. is considered worthy of honor from his home state; and

WHEREAS, Ken Jennings exhibited an admirable camaraderie with his *Jeopardy!* G.O.A.T. co-contestants, James Holzhauer and Brad Rutter, showing the world how to compete at an elite level while also having fun on and off screen, often at each other's expense, even with the grand title and one million dollars on the line; and

WHEREAS, Ken Jennings is a home state hero and the people's champ for his intelligence and fleet wit and for his many accomplishments;

NOW, THEREFORE, BE IT RESOLVED, That the answer to the clue "He won the Endgame of *Jeopardy!* and the Greatest of All Time title," is "Who is Ken Jennings?"; and

BE IT FURTHER RESOLVED, That the Washington State Senate honor and congratulate Ken Jennings on winning the *Jeopardy!* Greatest of All Time competition and for his career both on *Jeopardy!* and off.

Senators Kuderer, Hunt, Becker, Liias and Wellman 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 Kuderer carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Mr. Ken Jennings, his wife, Mrs. Mindy Jennings, and their children: Mr. Dylan and Miss Caitlin Jennings, who were present in the gallery.

MOTION

At 10:23 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 10:56 a.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate reverted to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Liias moved that Charlene Strong, Senate Gubernatorial Appointment No. 9100, be confirmed as a member of the Human Rights Commission.

Senator Liias spoke in favor of the motion.

APPOINTMENT OF CHARLENE STRONG

The President declared the question before the Senate to be the confirmation of Charlene Strong, Senate Gubernatorial Appointment No. 9100, as a member of the Human Rights Commission.

The Secretary called the roll on the confirmation of Charlene Strong, Senate Gubernatorial Appointment No. 9100, as a member of the Human Rights Commission and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 3; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Muzzall, Nguyen, O'Ban, Padden, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senators Frockt, Mullet and Pedersen

Charlene Strong, Senate Gubernatorial Appointment No. 9100, having received the constitutional majority was declared confirmed as a member of the Human Rights Commission.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2322, by House Committee on Transportation (originally sponsored by Fey and Wylie)

Making supplemental transportation appropriations for the 2019-2021 fiscal biennium.

The measure was read the second time.

MOTION

Senator Hobbs moved that the following striking floor amendment no. 1215 by Senator Hobbs be adopted:

Strike everything after the enacting clause and insert the following:

**"2019-2021 FISCAL BIENNIUM
GENERAL GOVERNMENT AGENCIES—OPERATING**

Sec. 101. 2019 c 416 s 103 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Motor Vehicle Account—State Appropriation	((\$1,403,000))
.....	\$1,419,000
Multimodal Transportation Account—State Appropriation	..... \$300,000
Puget Sound Ferry Operations Account—State Appropriation	..... ((\$116,000))
.....	..... \$121,000
TOTAL APPROPRIATION	..... \$1,819,000
.....	..... \$1,840,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$300,000 of the multimodal transportation account—state appropriation is provided solely for the office of financial management, in direct coordination with the office of state treasurer, to evaluate, coordinate, and assist in efforts by state agencies in developing cost recovery mechanisms for credit card and other financial transaction fees currently paid from state funds. This may include disbursing interagency reimbursements for the implementation costs incurred by the affected agencies. As part of the first phase of this effort, the office of financial management, with the assistance of relevant agencies, must develop implementation plans and take all necessary steps to ensure that the actual cost-recovery mechanisms will be in place by January 1, 2020, for the vehicles and drivers programs of the department of licensing. By November 1, 2019, the office of financial management must provide a report to the joint transportation committee on the phase 1 implementation plan and options to expand similar cost recovery mechanisms to other state agencies and programs, including the ferries division.

(2) Within existing resources, the office of financial management shall issue a request for information for an account-based system capable of processing state tolling, state ferry ticketing and reservations, and state parks discover pass transactions.

Sec. 102. 2019 c 416 s 105 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

Motor Vehicle Account—State Appropriation	((\$1,357,000))
.....	\$1,358,000

Sec. 103. 2019 c 416 s 108 (uncodified) is amended to read as follows:

FOR THE BOARD OF PILOTAGE COMMISSIONERS

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

Pilotage Account—State Appropriation(~~(\$5,228,000)~~)
.....\$6,037,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$3,125,000 of the pilotage account—state appropriation is provided solely for self-insurance liability premium expenditures; however, this appropriation is contingent upon the board:

(a) Annually depositing the first one hundred fifty thousand dollars collected through Puget Sound pilotage district pilotage tariffs into the pilotage account; and

(b) Assessing a self-insurance premium surcharge of sixteen dollars per pilotage assignment on vessels requiring pilotage in the Puget Sound pilotage district.

(2) The board of pilotage commissioners shall file the annual report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) by September 1, 2019, and annually thereafter. The report must include the continuation 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.

Sec. 104. 2019 c 416 s 109 (uncodified) is amended to read as follows:

FOR THE HOUSE OF REPRESENTATIVES

Motor Vehicle Account—State Appropriation .(~~(\$2,861,000)~~)
.....\$3,081,000

TRANSPORTATION AGENCIES—OPERATING

Sec. 201. 2019 c 416 s 201 (uncodified) is amended to read as follows:

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account—State Appropriation(~~(\$4,588,000)~~)
.....\$4,672,000

Highway Safety Account—Federal Appropriation(~~(\$27,035,000)~~)
.....\$27,047,000

Highway Safety Account—Private/Local Appropriation \$118,000

School Zone Safety Account—State Appropriation . \$850,000

TOTAL APPROPRIATION.....\$32,591,000
.....\$32,687,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$150,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 54 (~~(((Substitute Senate Bill No. 5710))),~~ Laws of 2019 (Cooper Jones Active Transportation Safety Council). If chapter 54 (~~(((Substitute Senate Bill No. 5710))),~~ Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

(2) The Washington traffic safety commission may oversee a pilot program in up to three cities implementing the use of automated vehicle noise enforcement cameras in zones that have been designated by ordinance as "Stay Out of Areas of Racing."

(a) Any programs authorized by the commission must be authorized by December 31, (~~(2019)~~) 2020.

(b) If a city has established an authorized automated vehicle noise enforcement camera pilot program under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based upon the value of the equipment and services provided or rendered in support of the system.

(c) Any city administering a pilot program overseen by the traffic safety commission shall use the following guidelines to administer the program:

(i) Automated vehicle noise enforcement camera may record photographs or audio of the vehicle and vehicle license plate only while a violation is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle;

(ii) The law enforcement agency of the city or county government shall (~~(plainly mark the locations)~~) install two signs facing opposite directions within two hundred feet, or otherwise consistent with the uniform manual on traffic control devices, where the automated vehicle noise enforcement camera is used (~~((by placing signs on street locations that clearly indicate to a driver that he or she is entering a zone where traffic laws violations are being detected by automated vehicle noise enforcement cameras that record both audio and video))~~) that state "Street Racing Noise Pilot Program in Progress";

(iii) Cities testing the use of automated vehicle noise enforcement cameras must (~~((provide periodic notice by mail to its residents))~~) post information on the city web site and notify local media outlets indicating the zones in which the automated vehicle noise enforcement cameras will be used;

(iv) A city may only issue a warning notice with no penalty for a violation detected by automated vehicle noise enforcement cameras in a Stay Out of Areas of Racing zone. Warning notices must be mailed to the registered owner of a vehicle within fourteen days of the detected violation;

(v) A violation detected through the use of automated vehicle noise enforcement cameras is not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120;

(vi) Notwithstanding any other provision of law, all photographs, videos, microphotographs, audio recordings, or electronic images prepared under this section are for the exclusive use of law enforcement in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding. No photograph, microphotograph, audio recording, or electronic image may be used for any purpose other than the issuance of warnings for violations under this section or retained longer than necessary to issue a warning notice as required under this subsection (2); and

(vii) By June 30, 2021, the participating cities shall provide a report to the commission and appropriate committees of the legislature regarding the use, public acceptance, outcomes, warnings issued, data retention and use, and other relevant issues regarding automated vehicle noise enforcement cameras demonstrated by the pilot projects.

(3) The Washington traffic safety commission may oversee a demonstration project in one county, coordinating with a public transportation benefit area (PTBA) and the department of transportation, to test the feasibility and accuracy of the use of automated enforcement technology for high occupancy vehicle (HOV) lane passenger compliance. All costs associated with the demonstration project must be borne by the participating public transportation benefit area. Any photograph, microphotograph, or electronic images of a driver or passengers are for the exclusive use of the PTBA in the determination of whether a HOV passenger violation has occurred to test the feasibility accuracy of automated enforcement under this subsection and are not open to the public and may not be used in a court in a pending action or proceeding. All photographs, microphotographs, and electronic images must be destroyed after determining a passenger count and no later than the completion of the demonstration project. No warnings or notices of infraction may be issued under the demonstration project.

For purposes of the demonstration project, an automated enforcement technology device may record an image of a driver and passenger of a motor vehicle. The county and PTBA must

erect signs marking the locations where the automated enforcement for HOV passenger requirements is occurring.

The PTBA, in consultation with the Washington traffic safety commission, must provide a report to the transportation committees of the legislature with the number of violations detected during the demonstration project, whether the technology used was accurate and any recommendations for future use of automated enforcement technology for HOV lane enforcement by June 30, 2021.

Sec. 202. 2019 c 416 s 202 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State Appropriation	(\$1,137,000)
.....	\$1,127,000
Motor Vehicle Account—State Appropriation	(\$2,803,000)
.....	\$2,780,000
County Arterial Preservation Account—State Appropriation	(\$1,677,000)
.....	\$1,662,000
TOTAL APPROPRIATION	\$5,617,000
.....	\$5,569,000

Sec. 203. 2019 c 416 s 203 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account—State Appropriation	(\$4,526,000)
.....	\$3,825,000

Sec. 204. 2019 c 416 s 204 (uncodified) is amended to read as follows:

FOR THE JOINT TRANSPORTATION COMMITTEE

Motor Vehicle Account—State Appropriation	(\$1,938,000)
.....	\$1,936,000
Multimodal Transportation Account—State Appropriation	(\$750,000)
.....	\$682,000
Highway Safety Account—State Appropriation	\$275,000
TOTAL APPROPRIATION	\$2,963,000
.....	\$2,893,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$400,000 of the motor vehicle account—state appropriation and \$50,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to conduct a comprehensive assessment of statewide transportation needs and priorities, and existing and potential transportation funding mechanisms to address those needs and priorities. The assessment must include: (a) Recommendations on the critical state and local transportation projects, programs, and services needed to achieve an efficient, effective, statewide transportation system over the next ten years; (b) a comprehensive menu of funding options for the legislature to consider to address the identified transportation system investments; ~~(and)~~ (c) recommendations on whether a revision to the statewide transportation policy goals in RCW 47.04.280 is warranted in light of the recommendations and options identified in (a) and (b) of this subsection; and (d) an analysis of the economic impacts of a range of future transportation investments. The assessment must be submitted to the transportation committees of the legislature by June 30, 2020. Starting July 1, 2020, and concluding by December 31, 2020, a committee-appointed commission or panel shall review the assessment and make final recommendations to the legislature for consideration during the 2021 legislative session on a realistic, achievable plan for funding transportation programs, projects, and services over the next ten years including a timeline for

legislative action on funding the identified transportation system needs shortfall.

(2)(a) ~~(\$450,000)~~ \$382,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to conduct an analysis of the electrification of public fleets in Washington state. The study must include the following:

(i) An inventory of existing public fleets for the state of Washington, counties, a sampling of cities, and public transit agencies. The inventory must differentiate among battery and fuel cell electric vehicles, hybrid vehicles, gasoline powered vehicles, and any other functional categories. Three cities from each of the following population ranges must be selected for the analysis:

- (A) Population up to and including twenty-five thousand;
 - (B) Population greater than twenty-five thousand and up to and including fifty thousand;
 - (C) Population greater than fifty thousand and up to and including one hundred thousand;
 - (D) Population greater than one hundred thousand;
- (ii) A review of currently available battery and fuel cell electric vehicle alternatives to the vehicle types most commonly used by the state, counties, cities, and public transit agencies. The review must include:

- (A) The average vehicle cost differential among the commercially available fuel options;
- (B) A cost benefit analysis of the conversion of different vehicle classes; and

(C) Recommendations for the types of vehicles that should be excluded from consideration due to insufficient alternatives, unreliable technology, or excessive cost;

(iii) The projected costs of achieving substantial conversion to battery and/or fuel cell electric fleets by 2025, 2030, and 2035 for the state, counties, cities, and public transit agencies. This cost estimate must include:

- (A) Vehicle acquisition costs, charging and refueling infrastructure costs, and other associated costs;
- (B) Financial constraints of each type of entity to transition to an electric vehicle fleet; and

(C) Any other identified barriers to transitioning to a battery and/or fuel cell electric vehicle fleet;

(iv) Identification and analysis of financing mechanisms that could be used to finance the transition of publicly owned vehicles to battery and fuel cell electric vehicles. These mechanisms include, but are not limited to: Energy or carbon savings performance contracting, utility grants and rebates, revolving loan funds, state grant programs, private third-party financing, fleet management services, leasing, vehicle use optimization, and vehicle to grid technology; and

(v) The predicted number and location profile of electric vehicle fueling stations needed statewide to provide fueling for the fleets of the state, counties, cities, and public transit agencies.

(b) In developing and implementing the study, the joint transportation committee must solicit input from representatives of the department of enterprise services, the department of transportation, the department of licensing, the department of commerce, the Washington state association of counties, the association of Washington cities, the Washington state transit association, transit agencies, and others as deemed appropriate.

(c) The joint transportation committee must issue a report of its findings and recommendations to the transportation committees of the legislature by September 30, 2020.

(3)(a) \$250,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to conduct a study of the feasibility of an east-west intercity passenger rail system. The study must include the following elements:

- (i) Projections of potential ridership;

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

- (ii) Review of relevant planning studies;
 - (iii) Establishment of an advisory group and associated meetings;
 - (iv) Development of a Stampede Pass corridor alignment to maximize ridership, revenue, and rationale, considering service to population centers: Auburn, Cle Elum, Yakima, Tri-Cities, Ellensburg, Toppenish, and Spokane;
 - (v) Assessment of current infrastructure conditions, including station stop locations;
 - (vi) Identification of equipment needs; and
 - (vii) Identification of operator options.
- (b) A report of the study findings and recommendations is due to the transportation committees of the legislature by June 30, 2020.

(4)(a) \$275,000 of the highway safety fund—state appropriation is for a study of vehicle subagents in Washington state. The study must consider and include recommendations, as necessary, on the following:

- (i) The relevant statutes, rules, and/or regulations authorizing vehicle subagents and any changes made to the relevant statutes, rules, and/or regulations;
- (ii) The current process of selecting and authorizing a vehicle subagent, including the change of ownership process and the identification of any barriers to entry into the vehicle subagent market;
- (iii) The annual business expenditures borne by each of the vehicle subagent businesses since fiscal year 2010 and identification of any materials, including office equipment and supplies, provided by the department of licensing to each vehicle subagent since fiscal year 2010. To accomplish this task, each vehicle subagent must provide expenditure data to the joint transportation committee for the purposes of this study;
- (iv) The oversight provided by the county auditors and/or the department of licensing over the vehicle subagent businesses;
- (v) The history of service fees, how increases to the service fee rate are made, and how the requested fee increase is determined;
- (vi) The online vehicle registration renewal process and any potential improvements to the online process;
- (vii) The department of licensing's ability to provide more vehicle licensing services directly, particularly taking into account the increase in online vehicle renewal transactions;
- (viii) The potential expansion of services that can be performed by vehicle subagents; and
- (ix) The process by which the geographic locations of vehicle subagents are determined.

(b) In conducting the study, the joint transportation committee must consult with the department of licensing, a representative of county auditors, and a representative of vehicle subagents.

(c) The joint transportation committee may collect any data from the department of licensing, county auditors, and vehicle subagents that is necessary to conduct the study.

(d) The joint transportation committee must issue a report of its findings and recommendations to the transportation committees of the legislature by September 30, 2020.

Sec. 205. 2019 c 416 s 205 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION

Motor Vehicle Account—State Appropriation ..((\$2,893,000))	
.....	\$2,171,000
((Multimodal Transportation Account—State Appropriation	
.....)	(\$112,000)
Interstate 405 and state Route Number 167 Express Toll Lanes	
((Operations))	
Account—State Appropriation ..((\$250,000))	
.....	\$410,000

State Route Number 520 Corridor Account—State	
Appropriation	\$271,000
Tacoma Narrows Toll Bridge Account—State Appropriation	
.....	\$158,000
Alaskan Way Viaduct Replacement Project	
Account—State Appropriation	\$136,000
TOTAL APPROPRIATION	\$3,255,000
.....	\$3,146,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) The commission shall reconvene the road usage charge steering committee, with the same membership described in chapter 297, Laws of 2018, and shall report at least once every three months to the steering committee with updates on report development for the completed road usage charge pilot project until the final report is submitted. The final report on the road usage charge pilot project is due to the transportation committees of the legislature by January 1, 2020, and should include recommendations for necessary next steps to consider impacts to communities of color, low-income households, vulnerable populations, and displaced communities. Any legislative vacancies on the steering committee must be appointed by the speaker of the house of representatives for a house of representatives member vacancy, and by the president of the senate for a senate member vacancy.

(b) The commission shall coordinate with the department of transportation to jointly seek federal funds available through the federal surface transportation system funding alternatives grant program, applying toll credits for meeting match requirements. One or more grant applications may be developed that, at a minimum, propose to:

- (i)(A) Update the recommended road usage charge operational concepts and business case presented to the road usage charge steering committee to reflect a range of scenarios regarding fleet electrification and use of shared vehicles. The operational concepts must include technological or system features necessary to ensure collection of the road usage charge from electric vehicles and fleets of shared and/or autonomous vehicles, if applicable. The business case must assess a range of gross revenue impacts to a road usage charge and fuel taxes resulting from changes to total vehicle miles traveled under scenarios with varying degrees of shared, autonomous, and/or electric vehicle adoption rates;

(B) Develop a detailed plan for phasing in the implementation of road usage charges for vehicles operated in Washington, incorporating any updates to road usage charge policy recommendations made in (a) and (b)(i)(A) of this subsection and including consideration of methods for reducing the cost of collections for a road usage charge system in Washington state; and

(C) Examine the allocation of current gas tax revenues and possible frameworks for the allocation of road usage charge revenues that could be used to evaluate policy choices once road usage charge revenues comprise a significant share of state revenues for transportation purposes.

(ii) A year-end report on the status of any federally-funded project for which federal funding is secured must be provided to the governor's office and the transportation committees of the legislature by January 1, 2020.

(c) If additional federal funding becomes available after January 1, 2020, the transportation commission, jointly with the department of licensing, must develop an implementation plan for imposing a per mile fee on electric, hybrid, and state fleet vehicles that builds off the ongoing work of the transportation commission

in evaluating a road usage charge. The plan must include, but is not limited to:

- (i) Different mileage reporting options;
- (ii) Recommended fee methods and rates for achieving cost efficiency, fairness, minimal administrative cost, payment compliance, consumer choice, and preserving individual privacy;
- (iii) Options for variable rates based on the factors listed in (c)(ii) of this subsection and vehicle classifications of vehicles, ensuring vehicles are paying for their proportional impact on road preservation and maintenance costs, climate emission impacts, fuel efficiency, or other policy levers that the legislature may want to consider;
- (iv) Alternatives in the payment method to allow for monthly or quarterly payment rather than payment on an annual basis;
- (v) Any recommended statutory changes, including suggested offsets or rebates to the per mile fee to recognize other taxes and fees paid by electric and hybrid vehicle owners;
- (vi) Specific recommendations to better align the system with other vehicle-related charges and potentially establish the framework for broader implementation of a per mile funding system, including analysis of the preferred method for addressing eighteenth amendment restriction considerations and options to incorporate existing gas tax distributions and allocations into a per mile funding system at the time these revenues comprise a significant share of state revenues for transportation purposes; and
- (vii) A recommended implementation and governance structure, and transition plan with the department as the designated lead agency to operate and administer the per mile funding system.

(2)(a) \$250,000 of the Interstate 405 and state route number 167 express toll lanes (~~operations~~) account—state appropriation is provided solely for the transportation commission to conduct a study, applicable to the Interstate 405 express toll lanes, of discounted tolls and other similar programs for low-income drivers that are provided by other states, countries, or other entities and how such a program could be implemented in the state of Washington. The transportation commission may contract with a consultant to conduct all or a portion of this study.

(b) In conducting this study, the transportation commission shall consult with both the department of transportation and the department of social and health services.

(c) The transportation commission shall, at a minimum, consider the following issues when conducting the study of discounted tolls and other similar programs for low-income drivers:

- (i) The benefits, requirements, and any potential detriments to the users of a program;
- (ii) The most cost-effective way to implement a program given existing financial commitments, shared cost requirements across facilities, and technical requirements to execute and maintain a program;
- (iii) The implications of a program for tolling policies, revenues, costs, operations, and enforcement; and
- (iv) Any implications to tolled facilities based on the type of tolling implemented on a particular facility.

(d) The transportation commission shall provide a report detailing the findings of this study and recommendations for implementing a discounted toll or other appropriate program in the state of Washington to the transportation committees of the legislature by June 30, 2021.

(3) \$160,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$271,000 of the state route number 520 corridor account—state appropriation, \$158,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$136,000 of the Alaskan Way viaduct

replacement project account—state appropriation are provided solely for the transportation commission's proportional share of time spent supporting tolling operations for the respective tolling facilities.

(4) Beginning July 1, 2020, the commission shall convene a ferry capital construction oversight committee. The committee shall meet at least two times every year to review the Washington state ferries capital construction plan and make recommendations to control costs and ensure that ferry capital investments meet projected future needs. The commission shall support the committee within existing resources. Members of the committee must include at least four citizen representatives from communities served by Washington state ferries.

(5) The legislature requests that the commission commence proceedings to name state route number 165 as The Glacier Highway to commemorate the significance of glaciers to the state of Washington.

Sec. 206. 2019 c 416 s 206 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account—State Appropriation ((\$813,000))
 \$772,000

Sec. 207. 2019 c 416 s 207 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State Appropriation ((\$508,503,000))
 \$498,832,000
 State Patrol Highway Account—Federal Appropriation ((\$16,069,000))
 \$16,078,000
 State Patrol Highway Account—Private/Local
 Appropriation \$4,257,000
 Highway Safety Account—State Appropriation ... \$1,188,000
 Ignition Interlock Device Revolving Account—State
 Appropriation \$7,010,000
 Multimodal Transportation Account—State Appropriation
 ((\$286,000))
 \$4,286,000
Interstate 405 and State Route Number 167 Express
 Toll Lanes Account—State Appropriation \$1,182,000
State Route Number 520 Corridor Account—State
 Appropriation \$1,988,000
Tacoma Narrows Toll Bridge Account—State Appropriation
 \$1,158,000
Alaskan Way Viaduct Replacement Project
 Account—State Appropriation \$996,000
 TOTAL APPROPRIATION \$537,313,000
 \$536,975,000

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 ignition interlock device revolving 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

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

in working with manufacturers, service centers, technicians, and participants in the program.

(3) \$1,424,000 of the state patrol highway account—state appropriation is provided solely to enter into an agreement for upgraded land mobile software, hardware, and equipment.

(4) \$2,582,000 of the state patrol highway account—state appropriation is provided solely for the replacement of radios and other related equipment.

(5) \$343,000 of the state patrol highway account—state appropriation is provided solely for aerial criminal investigation tools, including software licensing and maintenance, and annual certification.

(6) \$514,000 of the state patrol highway account—state appropriation is provided solely for additional staff to address the increase in the number of toxicology cases from impaired driving and death investigations.

(7) \$580,000 of the state patrol highway account—state appropriation is provided solely for the operation of and administrative support to the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of the additional vehicle registration fees, sales and use taxes, and local vehicle fees remitted to the state pursuant to activity conducted by the license investigation unit. Beginning October 1, 2019, and quarterly thereafter, the Washington state patrol shall submit a report detailing the additional revenue amounts generated since July 1, 2017, to the director of the office of financial management and the transportation committees of the legislature. At the end of the calendar quarter in which it is estimated that more than \$625,000 in state sales and use taxes have been remitted to the state since July 1, 2017, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 406 ((of this act)), chapter 416, Laws of 2019.

(8) \$18,000 of the state patrol highway account—state appropriation is provided solely for the license investigation unit to procure an additional license plate reader and related costs.

(9) The Washington state patrol and the office of financial management must be consulted by the department of transportation during the design phase of any improvement or preservation project that could impact Washington state patrol weigh station operations. During the design phase of any such project, the department of transportation must estimate the cost of designing around the affected weigh station's current operations, as well as the cost of moving the affected weigh station.

(10) \$4,210,000 of the state patrol highway account—state appropriation is provided solely for a third arming and a third trooper basic training class. The cadet class is expected to graduate in June 2021.

(11) \$65,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 440 ((~~Engrossed Second Substitute Senate Bill No. 5497~~)), Laws of 2019 (immigrants in the workplace). If chapter 440 ((~~Engrossed Second Substitute Senate Bill No. 5497~~)), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

(12)(a) The Washington state patrol must report quarterly to the house and senate transportation committees on the status of recruitment and retention activities as follows:

- (i) A summary of recruitment and retention strategies;
- (ii) The number of transportation funded staff vacancies by major category;
- (iii) The number of applicants for each of the positions by these categories;
- (iv) The composition of workforce; and

(v) Other relevant outcome measures with comparative information with recent comparable months in prior years.

(b) By January 1, 2020, the Washington state patrol must submit to the transportation committees of the legislature and the governor a workforce diversity plan. The plan must identify ongoing, and both short-term and long-term, specific comprehensive outreach and recruitment strategies to increase populations underrepresented within both commissioned and noncommissioned employee groups.

(13) \$1,182,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$1,988,000 of the state route number 520 corridor account—state appropriation, \$1,158,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$996,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the Washington state patrol's proportional share of time spent supporting tolling operations and enforcement for the respective tolling facilities.

(14) \$100,000 of the state patrol highway account—state appropriation is provided solely for the implementation of Senate Bill No. 6218, Laws of 2020 (Washington state patrol retirement definition of salary), which reflects an increase in the Washington state patrol retirement system pension contribution rate of 0.15 percent for changes to the definition of salary. If Senate Bill No. 6218, Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

(15) \$4,000,000 of the multimodal transportation account—state appropriation is provided solely as restitutive expenditure authority for the state patrol and may be spent only if a court of final jurisdiction holds that chapter 1 (Initiative Measure No. 976), Laws of 2020 is unconstitutional in its entirety.

(16) The Washington state patrol is directed to terminate its "Agreement for Utility Connection and Reimbursement of Water Extension Expenses" with the city of Shelton, belatedly recorded on June 12, 2017, subject to the city of Shelton's consent to terminate the agreement. The legislature finds that the water connection extension constructed by the Washington state patrol from the city of Shelton's water facilities to the Washington state patrol academy was necessary to meet the water supply needs of the academy. The legislature also finds that the water connection provides an ongoing water supply that is necessary to the operation of the training facility, that the state is making use of the water connection for these public activities, and that any future incidental use of the municipal infrastructure put in place to support these activities will not impede the Washington state patrol's ongoing use of the water connection extension. Therefore, the legislature determines that under the public policy of this state, reimbursement by any other entity is not required, notwithstanding any prior condition regarding contributions of other entities that Washington state patrol was required to satisfy prior to expenditure of the funds for construction of the extension, and that the Washington state patrol shall terminate the agreement.

Sec. 208. 2019 c 416 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

Marine Fuel Tax Refund Account—State Appropriation	\$34,000
Motorcycle Safety Education Account—State Appropriation	(\$5,044,000)
.....	\$5,048,000
State Wildlife Account—State Appropriation	(\$536,000)
.....	\$561,000
Highway Safety Account—State Appropriation	(\$243,189,000)

.....	\$241,859,000
Highway Safety Account—Federal Appropriation	\$1,294,000
Motor Vehicle Account—State Appropriation	(((\$77,219,000))
.....	\$72,812,000
Motor Vehicle Account—Federal Appropriation	..... \$186,000
Motor Vehicle Account—Private/Local Appropriation	(((\$2,858,000))
.....	\$10,008,000
Ignition Interlock Device Revolving Account—State Appropriation	(((\$6,143,000))
.....	\$5,777,000
Department of Licensing Services Account—State Appropriation	(((\$8,012,000))
.....	\$7,654,000
License Plate Technology Account—State Appropriation	..... \$4,250,000
Abandoned Recreational Vehicle Account—State Appropriation	..... \$2,925,000
Limousine Carriers Account—State Appropriation	... \$113,000
Electric Vehicle Account—State Appropriation	..... \$264,000
DOL Technology Improvement & Data Management Account—State Appropriation	..... \$2,250,000
Agency Financial Transaction Account—State Appropriation	..... \$11,903,000
TOTAL APPROPRIATION	..... \$365,770,000
.....	\$366,939,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$139,000 of the motorcycle safety education account—state appropriation is provided solely for the implementation of chapter 65 (~~((Substitute House Bill No. 1116))~~), Laws of 2019 (motorcycle safety). If chapter 65 (~~((Substitute House Bill No. 1116))~~), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

(2) \$404,000 of the highway safety account—state appropriation is provided solely for a new driver testing system at the department. Pursuant to RCW 43.135.055 and 46.82.310, the department is authorized to increase driver training school license application and renewal fees in fiscal years 2020 and 2021, as necessary to fully support the cost of activities related to administration of the driver training school program, including the cost of the new driver testing system described in this subsection.

(3) \$25,000 of the motorcycle safety education account—state appropriation, \$4,000 of the state wildlife account—state appropriation, \$1,708,000 of the highway safety account—state appropriation, \$576,000 of the motor vehicle account—state appropriation, \$22,000 of the ignition interlock device revolving account—state appropriation, and \$28,000 of the department of licensing services account—state appropriation are provided solely for the department to fund the appropriate staff (~~(other than data stewards,))~~ and necessary equipment and software for data management, data analytics, and data compliance activities. The department must, in consultation with the office of the chief information officer, construct a framework with goals for providing better data stewardship and a plan to achieve those goals. The department must provide the framework and plan to the transportation committees of the legislature by December 31, 2019, and an update by May 1, 2020. Appropriations provided for the data stewardship and privacy project described in this subsection are subject to the conditions, limitations, and review provided in section 701 of this act.

(4) Appropriations provided for the cloud continuity of operations project in this section are subject to the conditions, limitations, and review provided in section 701 of this act.

~~((6))~~ (5) \$24,028,000 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 department shall report on a quarterly basis on the use of these funds, associated workload, and information with comparative information with recent comparable months in prior years. The report must include detailed statewide and by licensing service office information on staffing levels, average monthly wait times, the number of enhanced drivers' licenses and enhanced identicards issued/renewed, and the number of primary drivers' licenses and identicards issued/renewed. Within the amounts provided in this subsection, the department shall implement efficiency measures to reduce the time for licensing transactions and wait times including, but not limited to, the installation of additional cameras at licensing service offices that reduce bottlenecks and align with the "keep your customer" initiative.

~~((8))~~ (6) \$507,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019 (vehicle service fees) or chapter 417 (~~((Engrossed House Bill No. 1789))~~), Laws of 2019 (vehicle service fees). If neither chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019 or chapter 417 (~~((Engrossed House Bill No. 1789))~~), Laws of 2019 are enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((10))~~ (7) \$25,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 177 (~~((Engrossed House Bill No. 1996))~~), Laws of 2019 (San Juan Islands license plate). If chapter 177 (~~((Engrossed House Bill No. 1996))~~), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((11))~~ (8) \$24,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 384 (~~((House Bill No. 2062))~~), Laws of 2019 (Seattle Storm license plate). If chapter 384 (~~((House Bill No. 2062))~~), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((13))~~ (9) \$65,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 440 (~~((Engrossed Second Substitute Senate Bill No. 5497))~~), Laws of 2019 (immigrants in the workplace). If chapter 440 (~~((Engrossed Second Substitute Senate Bill No. 5497))~~), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((14))~~ (10) The appropriations in this section assume implementation of additional cost recovery mechanisms to recoup at least \$11,903,000 in credit card and other financial transaction costs as part of charges imposed for driver and vehicle fee transactions beginning January 1, 2020. At the direction of the office of financial management, the department must develop a method of tracking the additional amount of credit card and other financial cost-recovery revenues. In consultation with the office of financial management, the department must notify the state treasurer of these amounts and the state treasurer must deposit these revenues in the agency financial transaction account created in section 717 (~~(of this act)~~), chapter 416, Laws of 2019 on a quarterly basis.

~~((18))~~ (11) \$1,281,000 of the department of licensing service account—state appropriation is provided solely for savings from the implementation of chapter 417 (~~((Engrossed House Bill No. 1789))~~), Laws of 2019 (vehicle service fees). If chapter 417 (~~((Engrossed House Bill No. 1789))~~), Laws of 2019 is enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((19))~~ (12) \$2,650,000 of the abandoned recreational vehicle disposal account—state appropriation is provided solely for providing reimbursements in accordance with the department's

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

abandoned recreational vehicle disposal reimbursement program. It is the intent of the legislature that the department prioritize this funding for allowable and approved reimbursements and not to build a reserve of funds within the account.

~~((20))~~ (13) \$20,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 210 (~~((Substitute House Bill No. 1197))~~), Laws of 2019 (Gold Star license plate). If chapter 210 (~~((Substitute House Bill No. 1197))~~), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((21))~~ (14) \$31,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 262 (~~((Substitute House Bill No. 1436))~~), Laws of 2019 (snow bikes). If chapter 262 (~~((Substitute House Bill No. 1436))~~), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((22))~~ (15) \$24,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 139 (~~((House Bill No. 2058))~~), Laws of 2019 (Purple Heart license plate). If chapter 139 (~~((House Bill No. 2058))~~), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((23))~~ (16) \$24,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 278 (~~((Engrossed House Bill No. 2067))~~), Laws of 2019 (vehicle and vessel owner information). If chapter 278 (~~((Engrossed House Bill No. 2067))~~), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((25))~~ (17) \$600,000 of the highway safety account—state appropriation is provided solely for the department to provide an interagency transfer to the department of social and health services, children's administration division for the purpose of providing driver's license support to a larger population of foster youth than is already served within existing resources. Support services include reimbursement of driver's license issuance costs, fees for driver training education, and motor vehicle liability insurance costs.

~~((26))~~ (18) The department 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. Pursuant to the restrictions in federal and state law, 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.

~~((30))~~ (19) \$91,000 of the highway safety account—state appropriation is provided solely for the department's costs related to the one Washington project.

~~((31))~~ (20) \$974,000 of the highway safety account—state appropriation is provided solely for communication and outreach activities necessary to inform the public of federally acceptable identification options including, but not limited to, enhanced drivers' licenses and enhanced identicards. The department shall continue the outreach plan that includes informational material that can be effectively communicated to all communities and populations in Washington. To accomplish this work, the department shall contract with an external vendor with demonstrated experience and expertise in outreach and marketing to underrepresented communities in a culturally-responsive fashion.

(21) Due to the passage of chapter 1 (Initiative Measure No. 976), Laws of 2020, the department, working with the office of financial management, shall provide a monthly report on the number of registrations involved and differences between actual

collections and collections if the initiative was not subject to a temporary injunction as of December 5, 2019.

(22) \$35,000 of the motor vehicle account—state appropriation and \$50,000 of the state wildlife account—state appropriation are provided solely for the implementation of Engrossed Substitute Senate Bill No. 6156, Laws of 2020 (collector vehicle license plates). If Engrossed Substitute Senate Bill No. 6156, Laws of 2020 is not enacted by June 30, 2020, the amounts provided in this subsection lapse.

(23) \$19,000 of the motor vehicle account—state appropriation is provided solely for the implementation of Engrossed Senate Bill No. 6032, Laws of 2020 (apples special license plate). If Engrossed Senate Bill No. 6032, Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

(24) \$14,000 of the motor vehicle account—state appropriation is provided solely for the implementation of Senate Bill No. 6115, Laws of 2020 (off road vehicle registrations). If Senate Bill No. 6115, Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

(25) \$105,000 of the motor vehicle account—state appropriation is provided solely for the implementation of Senate Bill No. 6251, Laws of 2020 (tribal vehicles compact). If Senate Bill No. 6251, Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

(26) \$107,000 of the highway safety account—state appropriation is provided solely for the implementation of Second Substitute Senate Bill No. 5544, Laws of 2020 (veteran commercial driver's license waivers). If Second Substitute Senate Bill No. 5544, Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

(27) \$57,000 of the state wildlife account—state appropriation is provided solely for the implementation of Substitute Senate Bill No. 6072, Laws of 2020 (state wildlife account). If Substitute Senate Bill No. 6072, Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

(28) The appropriations in this section assume full cost recovery for the administration and collection of a motor vehicle excise tax on behalf of any regional transit authority pursuant to section 706 of this act.

(29) \$1,624,000 of the motor vehicle account—state appropriation is provided solely for the department to implement a pilot program allowing the registered owner, or the registered owner's authorized representative, of a vehicle that is subject to a motor vehicle excise tax to enter into either a quarterly or monthly payment plan with the department for the amount of motor vehicle excise tax due. To defray the cost of administering the pilot, the department may charge a fee of not more than one percent of each vehicle registration transaction when paid with a quarterly or monthly payment plan and this fee must be deposited in the motor vehicle fund created in RCW 46.68.070. It is the intent of the legislature that under the pilot, payments made after the application for a renewal vehicle registration are not subject to additional fees under RCW 46.17.040(1)(b), 46.17.005, 46.17.025, or 46.17.015.

Sec. 209. 2019 c 416 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	\$3,774,000
Motor Vehicle Account—State Appropriation		(\$513,000)
State Route Number 520 Corridor Account—State	Appropriation	(\$43,773,000)
		\$59,056,000

State Route Number 520 Civil Penalties Account—State Appropriation	\$4,145,000
Tacoma Narrows Toll Bridge Account—State Appropriation	(\$27,807,000)
	<u>\$33,805,000</u>
Alaskan Way Viaduct Replacement Project Account—State Appropriation	(\$20,061,000)
	<u>\$21,616,000</u>
Interstate 405 and State Route Number 167 Express Toll Lanes (Operations) Account—State Appropriation.....	(\$18,329,000)
	<u>\$27,456,000</u>
TOTAL APPROPRIATION.....	<u>\$118,402,000</u>
	<u>\$146,078,000</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 (~~\$11,034,000~~) \$11,925,000 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 subsection, 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) As long as the facility is tolled, 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.

(3)(a) (~~\$71,000~~) \$2,114,000 of the (~~high occupancy~~) Interstate 405 and state route number 167 express toll lanes (~~operations~~) account—state appropriation, (~~\$1,238,000~~) \$4,920,000 of the state route number 520 corridor account—state appropriation, (~~\$532,000~~) \$2,116,000 of the Tacoma Narrows

toll bridge account—state appropriation, (~~\$460,000 of the Interstate 405 express toll lanes operations account—state appropriation~~) and (~~\$699,000~~) \$2,776,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the department to finish implementing a new tolling customer service toll collection system, and are subject to the conditions, limitations, and review provided in section 701 of this act.

(b) The department shall continue to work with the office of financial management, office of the chief information officer, and the transportation committees of the legislature on the project management plan 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.

(4) The department shall make detailed quarterly reports to the transportation committees of the legislature and the public on the department's web site 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;

(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;

(d) The toll adjudication process, including a summary table for each toll facility that includes:

(i) The number of notices of civil penalty issued;

(ii) The number of recipients who pay before the notice becomes a penalty;

(iii) The number of recipients who request a hearing and the number who do not respond;

(iv) Workload costs related to hearings;

(v) The cost and effectiveness of debt collection activities; and

(vi) Revenues generated from notices of civil penalty; and

(e) A summary of toll revenue by facility on all operating toll facilities and (~~high occupancy~~) express toll lane systems, and an itemized depiction of the use of that revenue.

(5) (~~\$17,517,000~~) \$24,734,000 of the Interstate 405 and state route number 167 express toll lanes (~~operations~~) account—state appropriation is provided solely for operational costs related to the express toll lane facility.

(6) In calendar year 2021, toll equipment on the Tacoma Narrows Bridge will have reached the end of its operational life. During the 2019-2021 fiscal biennium, the department plans to issue a request for proposals as the first stage of a competitive procurement process that will replace the toll equipment and select a new tolling operator for the Tacoma Narrows Bridge. The request for proposals and subsequent competitive procurement must incorporate elements that prioritize the overall goal of lowering costs per transaction for the facility, such as incentives for innovative approaches which result in lower transactional costs, requests for efficiencies on the part of the bidder that lower operational costs, and incorporation of technologies such as self-

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

serve credit card machines or other point-of-payment technologies that lower costs or improve operational efficiencies.

(7) ~~(((\$19,362,000))~~ \$18,840,000 of the Alaskan Way viaduct replacement project account—state appropriation is provided solely for the new state route number 99 tunnel toll facility's expected share of collecting toll revenues, operating customer services, and maintaining toll collection systems. The legislature expects to see appropriate reductions to the other toll facility accounts once tolling on the new state route number 99 tunnel toll facility commences and any previously incurred costs for start-up of the new facility are charged back to the Alaskan Way viaduct replacement project account. The office of financial management shall closely monitor the application of the cost allocation model and ensure that the new state route number 99 tunnel toll facility is adequately sharing costs and the other toll facility accounts are not being overspent or subsidizing the new state route number 99 tunnel toll facility.

(8) ~~(((\$256,000))~~ \$608,000 of the ~~((high occupancy toll lanes operations account—state appropriation and \$352,000 of the))~~ Interstate 405 and state route number 167 express toll lanes ~~((operations))~~ account—state appropriation are provided solely for increased levels of service from the Washington state patrol for enforcement of toll lane violations on the state route number 167 high occupancy toll lanes and the Interstate 405 express toll lanes. The department shall compile monthly data on the number of Washington state patrol enforcement hours on each facility and the percentage of time during peak hours that speeds are at or above forty-five miles per hour on each facility. The department shall provide this data in a report to the transportation committees of the legislature on at least a calendar quarterly basis.

(9) The department shall develop an ongoing cost allocation method to assign appropriate costs to each of the toll funds for services provided by each Washington state department of transportation program and all relevant transportation agencies, including the Washington state patrol and the transportation commission. This method should update the toll cost allocation method used in the 2020 supplemental transportation appropriations act. By December 1, 2020, a report with the recommended method and any changes shall be submitted to the transportation committees of the legislature and the office of financial management.

(10) The legislature intends to allow owners of vehicles subject to a motor vehicle excise tax to pay renewal vehicle registration fees with a "Good to Go!" account beginning no later than 2024. Within existing resources, the department and the department of licensing must jointly report to the governor and chairs of the transportation committees of the legislature by June 30, 2021, with a detailed recommended approach to allow payment of renewal vehicle registration fees with a "Good to Go!" account for owners of vehicles subject to a motor vehicle excise tax.

Sec. 210. 2019 c 416 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	(((\$94,993,000))
.....	<u>\$95,810,000</u>
Puget Sound Ferry Operations Account—State Appropriation	\$263,000
Multimodal Transportation Account—State Appropriation	\$2,878,000
Transportation 2003 Account (Nickel Account)—State Appropriation	\$1,460,000

TOTAL APPROPRIATION	<u>\$101,054,000</u>
.....	<u>\$101,871,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$8,114,000 of the motor vehicle account—state appropriation is provided solely for the development of the labor system replacement project and is subject to the conditions, limitations, and review provided in section 701 of this act. It is the intent of the legislature that if any portion of the labor system replacement project is leveraged in the future for the time, leave, and labor distribution of any other agencies, the motor vehicle account will be reimbursed proportionally for the development of the system since amounts expended from the motor vehicle account must be used exclusively for highway purposes in conformance with Article II, section 40 of the state Constitution. This must be accomplished through a loan arrangement with the current interest rate under the terms set by the office of the state treasurer at the time the system is deployed to additional agencies. If the motor vehicle account is not reimbursed for future use of the system, it is further the intent of the legislature that reductions will be made to central service agency charges accordingly. The department shall provide a report to the transportation committees of the legislature by December 31, 2019, detailing the project timeline as of July 1, 2019, an updated project timeline if necessary, expenditures made to date for the purposes of this project, and expenditures projected through the remainder of the project timeline.

(2) ~~(((\$198,000))~~ \$1,375,000 of the motor vehicle account—state appropriation is provided solely for the department's cost related to the one Washington project.

(3) \$21,500,000 of the motor vehicle account—state appropriation is provided solely for the activities of the information technology program in developing and maintaining information systems that support the operations and program delivery of the department, ensuring compliance with section 701 of this act, and the requirements of the office of the chief information officer under RCW 43.88.092 to evaluate and prioritize any new financial and capital systems replacement or modernization project and any other information technology project. During the 2019-2021 biennium, the department ~~((is prohibited from using))~~ may use the distributed direct program support or ~~((any))~~ other cost allocation method to fund ~~((any))~~ a new ~~((financial—and))~~ capital systems replacement or modernization project ~~((without having the project evaluated and prioritized by the office of the chief information officer and submitting)).~~ The department shall submit a decision package for implementation of a new capital systems replacement project to the governor and the transportation committees of the legislature as part of the normal budget process for the 2021-2023 biennium.

Sec. 211. 2019 c 416 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	(((\$33,149,000))
.....	<u>\$34,512,000</u>
State Route Number 520 Corridor Account—State Appropriation	\$34,000
TOTAL APPROPRIATION	<u>\$33,183,000</u>
.....	<u>\$34,546,000</u>

Sec. 212. 2019 c 416 s 212 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
AVIATION—PROGRAM F**

Aeronautics Account—State Appropriation	(\$7,635,000)
.....	<u>\$7,542,000</u>
Aeronautics Account—Federal Appropriation .(\$2,542,000)	
.....	<u>\$3,043,000</u>
Aeronautics Account—Private/Local Appropriation .	\$60,000
TOTAL APPROPRIATION.....	<u>\$10,237,000</u>
.....	<u>\$10,645,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) (~~(\$2,751,000)~~) \$2,862,000 of the aeronautics account—state appropriation is provided solely for the airport aid grant program, which provides competitive grants to public use airports for pavement, safety, maintenance, planning, and security.

(2) (~~(\$468,000)~~) \$268,000 of the aeronautics account—state appropriation is provided solely for one FTE dedicated to planning aviation emergency services and addressing emerging aeronautics requirements(~~, and for the implementation of chapter . . . (House Bill No. 1397), Laws of 2019 (electric aircraft work group), which extends the electric aircraft work group past its current expiration and allows WSDOT to employ a consultant to assist with the work group. If chapter . . . (House Bill No. 1397), Laws of 2019 is not enacted by June 30, 2019, \$200,000 of the amount in this subsection lapses~~)).

(3) \$200,000 of the aeronautics account—state appropriation is provided solely for the department to convene an electric aircraft work group to study the state of the electrically powered aircraft industry and assess infrastructure needs related to the deployment of electric or hybrid-electric aircraft for commercial air travel in Washington state.

(a) The chair of the work group may be a consultant specializing in aeronautics. The work group must include, but is not limited to, representation from the electric aircraft industry, the aircraft manufacturing industry, electric utility districts, the battery industry, the department of commerce, the department of transportation aviation division, the airline pilots association, a primary airport representing an airport association, and the airline industry.

(b) The study must include, but is not limited to:

(i) Infrastructure requirements necessary to facilitate electric aircraft operations at airports;

(ii) Potential economic and public benefits including, but not limited to, the direct and indirect impact on the number of manufacturing and service jobs and the wages from those jobs in Washington state;

(iii) Potential incentives for industry in the manufacturing and operation of electric aircraft for regional air travel;

(iv) Educational and workforce requirements for manufacturing and maintaining electric aircraft;

(v) Demand and forecast for electric aircraft use to include expected timeline of the aircraft entering the market given federal aviation administration certification requirements;

(vi) Identification of up to six airports in Washington state that may benefit from a pilot program once an electrically propelled aircraft for commercial use becomes available; and

(vii) Recommendations to further the advancement of the electrification of aircraft for regional commercial use within Washington state, including specific, measureable goals for the years 2030, 2040, and 2050 that reflect progressive and substantial increases in the utilization of electric and hybrid-electric commercial aircraft.

(c) The work group must submit a report and accompanying recommendations to the transportation committees of the legislature by November 15, 2020.

~~((d) If chapter . . . (House Bill No. 1397), Laws of 2019 is enacted by June 30, 2019, the amount provided in this subsection (~~3~~) lapses.))~~

(4) \$150,000 of the aeronautics account—state appropriation is provided solely for the implementation of chapter 396 (~~((Substitute Senate Bill No. 5370))), Laws of 2019 (aviation coordinating commission). ((If chapter 396 (Substitute Senate Bill No. 5370), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.))~~

Sec. 213. 2019 c 416 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	(\$59,801,000)
.....	<u>\$59,093,000</u>
Motor Vehicle Account—Federal Appropriation	\$500,000
Multimodal Transportation Account—State Appropriation	\$258,000
TOTAL APPROPRIATION	<u>\$60,559,000</u>
.....	<u>\$59,851,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) 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 (1), 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.

(2) With respect to Parcel 12 of the real property conveyed by the state of Washington to the city of Mercer Island under that certain quitclaim deed, dated April 19, 2000, recorded in King county under recording no. 20000425001234, the requirement in the deed that the property be used for road/street purposes only will be deemed satisfied by the department of transportation so long as commuter parking, as part of the vertical development of the property, is one of the significant uses of the property.

(3) \$1,600,000 of the motor vehicle account—state appropriation is provided solely for real estate services activities. Consistent with RCW 47.12.120 and during the 2019-2021 fiscal biennium, when initiating, extending, or renewing any rent or lease agreements with a regional transit authority, consideration

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

of value must be equivalent to one hundred percent of economic or market rent.

(4)(a) \$100,000 of the motor vehicle account—state appropriation is provided solely for the department to:

(i) Determine the real property owned by the state of Washington and under the jurisdiction of the department in King county that is surplus property located in an area encompassing south of Dearborn Street in Seattle, south of Newcastle, west of SR 515, and north of South 216th to SR 515; and

(ii) Use any remaining funds after (a)(i) of this subsection is completed to identify additional real property across the state owned by the state of Washington and under the jurisdiction of the department that is surplus property.

(b) The department shall provide a report to the transportation committees of the legislature describing the properties it has identified as surplus property under (a) of this subsection by October 1, 2020.

Sec. 214. 2019 c 416 s 214 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K

Motor Vehicle Account—State Appropriation	\$670,000
(Electric Vehicle Account—State Appropriation \$2,000,000)	
Multimodal Transportation Account—State Appropriation	(\$1,634,000)
.....	\$434,000
TOTAL APPROPRIATION.....	\$4,304,000
.....	\$1,104,000

The appropriations in this section 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) \$350,000 of the multimodal transportation account—state appropriation is provided solely for the department to execute a transit oriented development pilot project at Kingsgate park and ride in Kirkland intended to be completed by December 31, 2023. The purpose of the pilot project is to demonstrate how appropriate department properties may be used to provide multiple public benefits such as affordable and market rate housing, commercial development, and institutional facilities in addition to transportation purposes. To accomplish the pilot project, the department is authorized to exercise all legal and administrative powers authorized in statute that may include, but is not limited to, the transfer, lease, or sale of some or all of the property to another governmental agency, public development authority, or nonprofit developer approved by the department and partner agencies. The department may also partner with sound transit, King county, the city of Kirkland, and any other federal, regional, or local jurisdiction on any policy changes necessary from those jurisdictions to facilitate the pilot project. By December 1, 2019, the department must report to the legislature on any legislative actions necessary to facilitate the pilot project and future transit oriented development projects.

(3) ~~(\$2,000,000 of the electric vehicle account state appropriation is provided solely)~~ It is the intent of the legislature that funding for the clean alternative fuel vehicle charging and refueling infrastructure program in chapter 287 ~~((Engrossed Second Substitute House Bill No. 2042))~~, Laws of 2019 (advancing green transportation adoption) will be provided in the 2021-2023 fiscal biennium and the department must be ready to issue a call for projects at the beginning of the 2021-2023 fiscal biennium. ~~((If chapter 287 (Engrossed Second Substitute House Bill No. 2042), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses-))~~

~~(4) (\$1,200,000 of the multimodal transportation account—state appropriation is provided solely)~~ It is the intent of the legislature that funding will be provided in the 2021-2023 fiscal biennium for the pilot program established under chapter 287 ~~((Engrossed Second Substitute House Bill No. 2042))~~, Laws of 2019 (advancing green transportation adoption) to provide clean alternative fuel vehicle use opportunities to underserved communities and low to moderate income members of the workforce not readily served by transit or located in transportation corridors with emissions that exceed federal or state emissions standards. ~~((If chapter 287 (Engrossed Second Substitute House Bill No. 2042), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses))~~ The department must be ready to issue a call for projects at the beginning of the 2021-2023 fiscal biennium.

(5) \$84,000 of the multimodal transportation account—state appropriation is provided solely for an interagency transfer to the department of commerce for the purpose of conducting a study as described in chapter 287 ~~((Engrossed Second Substitute House Bill No. 2042))~~, Laws of 2019 (advancing green transportation adoption) to identify opportunities to reduce barriers to electric vehicle adoption by lower income residents of the state through the use of vehicle and infrastructure financing assistance. If chapter 287 ~~((Engrossed Second Substitute House Bill No. 2042))~~, Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

(6) Building on the information and experience gained from the transit oriented development project at the Kingsgate park and ride, the department must identify a pilot park and ride with future public-private partnership development potential in Pierce county and report back to the transportation committees of the legislature by June 30, 2021, with a proposal for moving forward in the 2021-2023 biennium with a pilot project.

Sec. 215. 2019 c 416 s 215 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M

Motor Vehicle Account—State Appropriation	(\$495,228,000)
.....	\$486,417,000
Motor Vehicle Account—Federal Appropriation	\$7,000,000
State Route Number 520 Corridor Account—State Appropriation	\$4,447,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$1,549,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	(\$9,533,000)
.....	\$9,535,000
Interstate 405 <u>and State Route Number 167</u> Express Toll Lanes ((Operations)) Account—State Appropriation	(\$1,370,000)
.....	\$4,528,000
TOTAL APPROPRIATION	\$519,127,000
.....	\$513,476,000

The appropriations in this section are subject to the following conditions and limitations:

(1)(a) \$6,170,000 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 stormwater runoff from state highways. Plan and reporting requirements as required in chapter 435 ~~((Senate Bill No. 5505))~~, Laws of 2019 (Local Stormwater Charges) shall be consistent with the January 2012 findings of the Joint Transportation Committee Report for Effective Cost Recovery

Structure for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

(b) Pursuant to RCW 90.03.525(3), the department and the utilities imposing charges to the department shall negotiate with the goal of agreeing to rates such that the total charges to the department for the 2019-2021 fiscal biennium do not exceed the amount provided in this subsection. The department shall report to the transportation committees of the legislature on the amount of funds requested, the funds granted, and the strategies used to keep costs down, by January 17, 2021. If chapter 435 (~~Senate Bill No. 5505~~), Laws of 2019 (local stormwater charges) is enacted by June 30, 2019, this subsection (1)(b) does not take effect.

(2) \$4,447,000 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) \$1,549,000 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) (~~(\$1,370,000)~~) \$2,050,000 of the Interstate 405 and state route number 167 express toll lanes (~~(operations)~~) account—state appropriation is provided solely to maintain the Interstate 405 and state route number 167 express toll lanes between Lynnwood and Bellevue, and Renton and the southernmost point of the express toll lanes. These funds must be used in accordance with RCW 47.56.830(3).

(5) \$2,478,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation is provided solely for maintenance for the 2019-2021 biennium only on the Interstate 405 roadway between Renton and Bellevue.

(6) (~~(\$5,000,000)~~) (a) \$3,000,000 of the motor vehicle account—state appropriation is provided solely for a contingency pool for snow and ice removal. The department must notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for snow and ice removal and will begin using the contingency pool funding.

(b) \$2,000,000 of the motor vehicle account—state appropriation is provided solely as restitutive expenditure authority for the contingency pool for snow and ice removal, and may be spent only if a court of final jurisdiction holds that chapter 1 (Initiative Measure No. 976), Laws of 2020 is unconstitutional in its entirety.

(~~(7)~~) (7) \$1,025,000 of the motor vehicle account—state appropriation is provided solely for the department to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle at levels above that being implemented as of January 1, 2019. The department must contract out or hire a crew dedicated solely to collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public, department employees, or people encamped upon department-owned rights-of-way. The department may request assistance from the Washington state patrol as necessary in order for both agencies to provide enhanced safety-related activities regarding the emergency hazards along state highway rights-of-way in the Seattle area.

(~~(7)~~) (8) \$1,015,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Tacoma. The program shall address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$570,000 is for dedicated department maintenance staff and associated clean-up costs. The

department and the city of Tacoma shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

(~~(8)~~) (9) The department must commence a pilot program for the 2019-2021 fiscal biennium at the four highest demand safety rest areas to create and maintain an online calendar for volunteer groups to check availability of weekends for the free coffee program. The calendar must be updated at least weekly and show dates and times that are, or are not, available to participate in the free coffee program. The department must submit a report to the legislature on the ongoing pilot by December 1, 2020, outlining the costs and benefits of the online calendar pilot, and including surveys from the volunteer groups and agency staff to determine its effectiveness.

Sec. 216. 2019 c 416 s 216 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—OPERATING

Motor Vehicle Account—State	Appropriation
.....	(\$70,681,000)
.....	\$76,112,000
Motor Vehicle Account—Federal	Appropriation
.....	\$2,050,000
Motor Vehicle Account—Private/Local	Appropriation
.....	\$250,000
<u>State Route Number 520 Corridor Account—State</u>	<u>Appropriation</u>
.....	<u>\$53,000</u>
<u>Tacoma Narrows Toll Bridge Account—State</u>	<u>Appropriation</u>
.....	<u>\$31,000</u>
<u>Alaskan Way Viaduct Replacement Project Account—</u>	<u>State Appropriation</u>
.....	<u>\$26,000</u>
<u>Interstate 405 and State Route Number 167 Express</u>	<u>Toll Lanes Account—State Appropriation</u>
.....	<u>\$32,000</u>
TOTAL APPROPRIATION	\$72,981,000
.....	\$78,554,000

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. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects completed in the prior fiscal biennium.

(2)(a) During the 2019-2021 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: (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. 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.

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

(b) The department shall expand the high occupancy vehicle lane access pilot program to vehicles that deliver or collect blood, tissue, or blood components for a blood-collecting or distributing establishment regulated under chapter 70.335 RCW. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, blood-collecting or distributing establishment vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(c) The department shall expand the high occupancy vehicle lane access pilot program to organ transport vehicles transporting a time urgent organ for an organ procurement organization as defined in RCW 68.64.010. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, organ transport vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(d) The department shall expand the high occupancy vehicle lane access pilot program to private, for hire vehicles regulated under chapter 81.72 RCW that have been specially manufactured, designed, or modified for the transportation of a person who has a mobility disability and uses a wheelchair or other assistive device. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, wheelchair-accessible taxicabs that are clearly and identifiably marked as such on all sides of the vehicle are considered public transportation vehicles and must be authorized to use the reserved portion of the highway.

~~((c))~~ (c) Nothing in this subsection (2) is intended to exempt these vehicles from paying tolls when they do not meet the occupancy requirements established by the department for ~~(high occupancy)~~ express toll lanes.

(3) 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.

(4) The department must make signage for low-height bridges a high priority.

(5) \$32,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$53,000 of the state route number 520 corridor account—state appropriation, \$31,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$26,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the traffic operations program's proportional share of time spent supporting tolling operations for the respective tolling facilities.

Sec. 217. 2019 c 416 s 217 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION MANAGEMENT AND SUPPORT—
PROGRAMS**

Motor Vehicle Account—State Appropriation	(\$38,782,000)
.....	\$37,487,000
Motor Vehicle Account—Federal Appropriation ..	\$1,380,000
Motor Vehicle Account—Private/Local Appropriation	\$500,000
Multimodal Transportation Account—State Appropriation	\$1,129,000
State Route Number 520 Corridor Account—State Appropriation	\$199,000

Tacoma Narrows Toll Bridge Account—State Appropriation	\$116,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$100,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$119,000
TOTAL APPROPRIATION	\$41,791,000
.....	\$41,030,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,000,000 of the motor vehicle account—state appropriation is provided solely for a grant program that makes awards for the following: (a) Support for nonprofit 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, veterans, 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 1st each year. If moneys are provided in the omnibus operating appropriations act for a career connected learning grant program, defined in chapter . . . (Substitute House Bill No. 1336), Laws of 2019, or otherwise, the amount provided in this subsection lapses.

(2) \$150,000 of the motor vehicle account—state appropriation is provided solely for a user-centered and mobile-compatible web site redesign using estimated web site ad revenues.

(3) From the revenues generated by the five dollar per studded tire fee under RCW 46.37.427, \$250,000 of the motor vehicle account—state appropriation is provided solely for the department, in consultation with the appropriate local jurisdictions and relevant stakeholder groups, to establish a pilot media-based public information campaign regarding the damage of studded tire use on state and local roadways in Whatcom county, and to continue the existing pilot information campaign in Spokane county. The reason for the geographic selection of Spokane and Whatcom counties is based on the high utilization of studded tires in these jurisdictions. The public information campaigns must primarily focus on making the consumer aware of the safety implications for other drivers, road deterioration, financial impact for taxpayers, and, secondarily, the alternatives to studded tires. The Whatcom county pilot media-based public information campaign must begin by September 1, 2020. By January 14, 2021, the department must provide the transportation committees of the legislature an update on the Spokane and Whatcom county pilot media-based public information campaigns.

~~(4) (\$138,000 of the motor vehicle account state appropriation is provided solely for the implementation of chapter . . . (Second Substitute Senate Bill No. 5489), Laws of 2019 (concerning environmental health disparities). If chapter . . . (Second Substitute Senate Bill No. 5489), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses)) \$119,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$199,000 of the state route number 520 corridor account—state appropriation, \$116,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$100,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the transportation management and support program's proportional share of time spent supporting tolling operations for the respective tolling facilities.~~

Sec. 218. 2019 c 416 s 218 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION PLANNING, DATA, AND
RESEARCH—PROGRAM T**

((High Occupancy)) Interstate 405 and State Route Number 167 Express Toll Lanes ((Operations))

Account—State Appropriation	(\$3,000,000)
.....	\$3,123,000
Motor Vehicle Account—State Appropriation	(\$29,403,000)
.....	\$25,638,000
Motor Vehicle Account—Federal Appropriation	(\$29,485,000)
.....	\$35,385,000
Motor Vehicle Account—Private/Local Appropriation	(\$800,000)
.....	\$1,200,000
Multimodal Transportation Account—State Appropriation	\$710,000
Multimodal Transportation Account—Federal Appropriation	\$2,809,000
Multimodal Transportation Account—Private/Local Appropriation	\$100,000
<u>State Route Number 520 Corridor Account—State Appropriation</u>	<u>\$207,000</u>
<u>Tacoma Narrows Toll Bridge Account—State Appropriation</u>	<u>\$121,000</u>
<u>Alaskan Way Viaduct Replacement Project Account—State Appropriation</u>	<u>\$104,000</u>
TOTAL APPROPRIATION.....	\$66,307,000
.....	\$69,397,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$130,000 of the motor vehicle account—state appropriation is provided solely for completion of a corridor study to identify potential improvements between exit 116 and exit 99 of Interstate 5. The study should further develop mid- and long-term strategies from the corridor sketch, and identify potential US 101/I-5 interchange improvements, a strategic plan for the Nisqually River bridges, regional congestion relief options, and ecosystem benefits to the Nisqually River estuary for salmon productivity and flood control.

(2) The study on state route number 518 referenced in section 218(5), chapter 297, Laws of 2018 must be submitted to the transportation committees of the legislature by November 30, 2019.

(3) \$100,000 of the motor vehicle account—state appropriation is provided solely to complete the Tacoma mall direct access feasibility study.

(4) \$4,600,000 of the motor vehicle account—federal appropriation is provided solely to complete the road usage charge pilot project overseen by the transportation commission using the remaining unspent amount of the federal grant award. The purpose of the road usage charge pilot project is to explore the viability of a road usage charge as a possible replacement for the gas tax.

(5) \$3,000,000 of the ~~((high occupancy)) Interstate 405 and state route number 167 express toll lanes ((operations))~~ account—state appropriation is provided solely for updating the state route number 167 master plan. If neither chapter 421 ~~((Engrossed Substitute Senate Bill No. 5825))~~, Laws of 2019 (addressing tolling) nor chapter . . . (House Bill No. 2132), Laws of 2019 (addressing tolling) is enacted by June 30, 2019, the amount provided in this subsection lapses.

(6) \$123,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$207,000 of the state route number 520 corridor account—state appropriation,

\$121,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$104,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the transportation planning, data, and research program's proportional share of time spent supporting tolling operations for the respective tolling facilities.

(7)(a) By December 31, 2020, the department shall provide to the governor and the transportation committees of the legislature a report with a sample performance-based evaluation applied to an existing highway capacity project and an existing multimodal transportation project funded in the 2015 Connecting Washington package. The sample performance-based evaluation must consider: (i) The transportation policy goals listed in RCW 47.04.280; and (ii) the themes of health, accessibility, environmental justice, equity, and climate change, and how those themes should be defined in a transportation context.

(b) The department must incorporate feedback from interested stakeholders, including traditionally underserved and historically disadvantaged populations, and the report shall include the project evaluation procedures used for the performance-based evaluation. This report will help provide a better path to determining that the most beneficial projects are selected and funded in future transportation budgets.

(8) Within existing resources, the department shall conduct a study of options to establish road connections between state route number 704 in Spanaway and Interstate 5. The department shall examine potential benefits to traffic congestion, emergency management, and other benefits or issues of a new road connection. A report of the study must be provided to the transportation committees of the legislature by June 30, 2021.

Sec. 219. 2019 c 416 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	(\$71,996,000)
.....	\$78,427,000
Multimodal Transportation Account—State Appropriation	(\$2,491,000)
.....	\$2,690,000
<u>Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation</u>	<u>\$122,000</u>
<u>State Route Number 520 Corridor Account—State Appropriation</u>	<u>\$205,000</u>
<u>Tacoma Narrows Toll Bridge Account—State Appropriation</u>	<u>\$120,000</u>
<u>Alaskan Way Viaduct Replacement Project Account—State Appropriation</u>	<u>\$102,000</u>
TOTAL APPROPRIATION	\$74,487,000
.....	\$81,666,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~((Prior to))~~ After entering into any negotiated settlement of a claim against the state for the department that exceeds five million dollars, the department, in conjunction with the attorney general and the department of enterprise services, shall notify the director of the office of financial management and the transportation committees of the legislature.

(2) Beginning October 1, 2019, and quarterly thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the Washington state ferry system to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type;

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

(c) defense costs associated with those claims and settlements; and (d) information on the impacts of moving legal costs associated with the Washington state ferry system into the statewide self-insurance pool.

(3) Beginning October 1, 2019, and quarterly thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the nonferry operations of the department to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; and (c) defense costs associated with those claims and settlements.

(4) \$122,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$205,000 of the state route number 520 corridor account—state appropriation, \$120,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$102,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the charges from other agencies' program's proportional share of supporting tolling operations for the respective tolling facilities.

Sec. 220. 2019 c 416 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V

State Vehicle Parking Account—State Appropriation	\$784,000
Regional Mobility Grant Program Account—State Appropriation	(\$96,630,000)
.....	<u>\$90,798,000</u>
Rural Mobility Grant Program Account—State Appropriation	\$32,223,000
Multimodal Transportation Account—State Appropriation	(\$128,554,000)
.....	<u>\$146,151,000</u>
Multimodal Transportation Account—Federal Appropriation	\$3,574,000
Multimodal Transportation Account—Local Appropriation	\$100,000
TOTAL APPROPRIATION.....	<u>\$261,865,000</u>
.....	<u>\$273,630,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$62,679,000)~~ \$62,698,000 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. ~~((If chapter 287 (Engrossed Second Substitute House Bill No. 2042), Laws of 2019 (advancing green transportation adoption) is not enacted by June 30, 2019, \$10,000,000 of the amount in this subsection lapses.))~~ Of this amount:

(a) ~~(\$14,278,000)~~ \$14,297,000 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. ~~((If chapter 287 (Engrossed Second Substitute House Bill No. 2042), Laws of 2019 (advancing green transportation adoption) is not enacted by June 30, 2019, \$2,278,000 of the amount in this subsection lapses.))~~

(b) \$48,401,000 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 2017 as reported in the "Summary of Public Transportation - 2017" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions. ~~((If chapter 287 (Engrossed Second Substitute House Bill No. 2042), Laws of 2019 (advancing green transportation adoption) is not enacted by June 30, 2019, \$7,722,000 of the amount in this subsection lapses.))~~

(2) \$32,223,000 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) ~~(\$10,290,000)~~ \$10,539,000 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.

(4) ~~(\$18,951,000)~~ \$27,483,000 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 ~~((2019-2))~~ 2020-2 ALL PROJECTS as developed ~~((April 27, 2019))~~ February 25, 2020, Program - Public Transportation Program (V).

(5)(a) ~~(\$77,679,000)~~ \$63,315,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document ~~((2019-2))~~ 2020-2 ALL PROJECTS as developed ~~((April 27, 2019))~~ February 25, 2020, 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, 2019, and December 15, 2020, 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. Additionally, when allocating funding for the 2021-2023 biennium, no more than thirty percent of the total grant program may directly benefit or support one grantee. 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 2019-2021 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) \$7,670,000 of the multimodal transportation account—state appropriation and \$784,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities. Of this amount:

(a) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to continue a pilot transit pass incentive program. Businesses and nonprofit organizations located in a county adjacent to Puget Sound with a population of more than seven hundred thousand that have never offered transit subsidies to employees are eligible to apply to the program for a fifty percent rebate on the cost of employee transit subsidies provided through the regional ORCA fare collection system. No single business or nonprofit organization may receive more than ten thousand dollars from the program.

(i) Businesses and nonprofit organizations may apply and be awarded funds prior to purchasing a transit subsidy, but the department may not provide reimbursement until proof of purchase or a contract has been provided to the department.

(ii) The department shall update the transportation committees of the legislature on the impact of the program by January 31, 2020, and may adopt rules to administer the program.

(b) \$30,000 of the state vehicle parking account—state appropriation is provided solely for the STAR pass program for state employees residing in Mason and Grays Harbor Counties. Use of the pass is for public transportation between Mason County and Thurston County, and Grays Harbor and Thurston County. The pass may also be used within Grays Harbor County. The STAR pass commute trip reduction program is open to any state employee who expresses intent to commute to his or her assigned state worksite using a public transit system currently participating in the STAR pass program.

(c) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for a first mile/last mile connections grant program. Eligible grant recipients include cities, businesses, nonprofits, and transportation network companies with first mile/last mile solution proposals. Transit agencies are not eligible. The commute trip reduction board shall develop grant parameters, evaluation criteria, and evaluate grant proposals. The commute trip reduction board shall provide the transportation committees of the legislature a report on the effectiveness of this grant program and best practices for continuing the program.

(8) Except as provided otherwise in this subsection, ~~(\$28,048,000)~~ \$32,377,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington transit projects identified in LEAP Transportation Document ~~((2019-2))~~ 2020-2 ALL PROJECTS as developed

~~((April 27, 2019))~~ February 25, 2020. It is the intent of the legislature that entities identified to receive funding in the LEAP document referenced in this subsection receive the amounts specified in the time frame specified in that LEAP document. If an entity has already completed a project in the LEAP document referenced in this subsection before the time frame identified, the entity may substitute another transit project or projects that cost a similar or lesser amount.

(9) \$2,000,000 of the multimodal transportation account—state appropriation is provided solely for transit coordination grants.

(10) The department shall not require more than a ten percent match from nonprofit transportation providers for state grants.

(11)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (4) of this section, if the department expects to have substantial reappropriations for the 2021-2023 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for the current fiscal biennium to advance one or more of the following projects:

(i) King County Metro - RapidRide Expansion, Burien-Delridge (G2000031);

(ii) King County Metro - Route 40 Northgate to Downtown (G2000032);

(iii) Mason Transit Park & Ride Development (G2000042); or

(iv) Pierce Transit - SR 7 Express Service ~~((G2000046))~~ (G2000045).

(b) At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2021-2023 fiscal biennium.

(c) To the extent practicable, the department shall use the flexibility and authority granted in this section to minimize the amount of reappropriations needed each biennium.

(12) \$750,000 of the multimodal transportation account—state appropriation is provided solely for Intercity Transit for the Dash shuttle program.

(13)(a) \$485,000 of the multimodal transportation account—state appropriation is provided solely for King county for:

(i) An expanded pilot program to provide certain students in the Highline, Tukwila, and Lake Washington school districts with an ORCA card during these school districts' summer vacations. In order to be eligible for an ORCA card under this program, a student must also be in high school, be eligible for free and reduced-price lunches, and have a job or other responsibility during the summer; and

(ii) Providing administrative support to other interested school districts in King county to prepare for implementing similar programs for their students.

(b) King county must provide a report to the department and the transportation committees of the legislature by December 15, 2021, regarding:

(i) The annual student usage of the pilot program;

(ii) Available ridership data;

(iii) A cost estimate, including a detailed description of the various expenses leading to the cost estimate, and any other factors relevant to expanding the program to other King county school districts;

(iv) A cost estimate, including a detailed description of the various expenses leading to the cost estimate, and any other factors relevant to expanding the program to student populations other than high school or eligible for free and reduced-price lunches;

(v) Opportunities for subsidized ORCA cards or local grant or matching funds; and

(vi) Any additional information that would help determine if the pilot program should be extended or expanded.

(14) ~~(\$12,000,000 of the multimodal transportation account—state appropriation is provided solely))~~ It is the intent of the legislature that funding for the green transportation capital grant program established in chapter 287 ((Engrossed—Second Substitute House Bill No. 2042))), Laws of 2019 (advancing green transportation adoption) will be provided in the 2021-2023 biennium and that projects submitted by the department for the 2020 legislative session will retain their place on the prioritized list, ahead of any newly submitted projects. ((If chapter 287 (Engrossed—Second Substitute House Bill No. 2042), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.))

(15) \$555,000 of the multimodal transportation account—state appropriation is provided solely for an interagency transfer to the Washington State University extension energy program to establish and administer a technical assistance and education program for public agencies on the use of alternative fuel vehicles. If chapter 287 ((Engrossed—Second Substitute House Bill No. 2042))), Laws of 2019 (advancing green transportation adoption) is not enacted by June 30, 2019, \$375,000 of the amount provided in this subsection lapses.

(16) As a short-term solution, appropriation authority for the public transportation program in this section is reduced to reflect anticipated underruns in this program, based on historical reappropriation levels. It is the intent of the legislature that no public transportation grants or projects be delayed as a result of revenue reductions, except that funding for the green transportation capital program created by chapter 287, Laws of 2019 be delayed until 2021-2023.

(17) \$25,000,000 of the multimodal transportation account—state appropriation is provided solely as restitutive expenditure authority for the public transportation program's capital project grants as listed by amount on the LEAP list referenced in subsections (4), (5), and (8) of this section, and may be spent only if a court of final jurisdiction holds that chapter 1 (Initiative Measure No. 976), Laws of 2020 is unconstitutional in its entirety.

Sec. 221. 2019 c 416 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

Motor Vehicle Account—State Appropriation	\$250,000
Puget Sound Ferry Operations Account—State Appropriation	(\$540,746,000))
.....	<u>\$547,056,000</u>
Puget Sound Ferry Operations Account—Federal Appropriation	\$7,932,000
Puget Sound Ferry Operations Account—Private/Local Appropriation	\$121,000
TOTAL APPROPRIATION.....	<u>\$549,049,000</u>
.....	<u>\$555,359,000</u>

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 2019-2021 supplemental and 2021-2023 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) For the 2019-2021 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee, which must include a representative of the department of enterprise services.

(3) ~~(\$76,261,000))~~ \$73,161,000 of the Puget Sound ferry operations account—state appropriation is provided solely for auto ferry vessel operating fuel in the 2019-2021 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 703 ~~((of this act)),~~ chapter 416, Laws of 2019. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge. The department shall review future use of alternative fuels and dual fuel configurations, including hydrogen.

(4) \$650,000 of the Puget sound ferry operations account—state appropriation is provided solely for increased staffing at Washington ferry terminals to meet increased workload and customer expectations. Within the amount provided in this subsection, the department shall contract with uniformed officers for additional traffic control assistance at the Kingston ferry terminal during peak ferry travel times, with a particular focus on Sundays and holiday weekends. Traffic control methods should include, but not be limited to, holding traffic on the shoulder at Lindvog Road until space opens for cars at the tollbooths and dock, and management of traffic on Highway 104 in order to ensure Kingston residents and business owners have access to businesses, roads, and driveways.

(5) \$254,000 of the Puget Sound ferry operations account—state appropriation is provided solely for a dedicated inventory logistics manager on a one-time basis.

(6) \$500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for operating costs related to moving vessels for emergency capital repairs. Funds may only be spent after approval by the office of financial management.

(7) By January 1, 2020, the ferries division must submit a workforce plan for reducing overtime due to shortages of staff available to fill vacant crew positions. The plan must include numbers of crew positions being filled by staff working overtime, strategies for filling these positions with straight time employees, progress toward implementing those strategies, and a forecast for when overtime expenditures will return to historical averages.

(8) \$160,000 of the Puget Sound ferry operations account—state appropriation is provided solely for a ferry fleet baseline noise study, conducted by a consultant, for the purpose of establishing plans and data-driven goals to reduce ferry noise when Southern resident orca whales are present. In addition, the study must establish prioritized strategies to address vessels serving routes with the greatest exposure to orca whale movements.

~~(9)((a))~~ \$250,000 of the motor vehicle account—state appropriation is provided solely for the department~~((—in consultation with the Washington state transportation center, to develop a plan for service on the triangle route with a goal of providing maximum sailings moving the most passengers to all stops in the least travel time, including waits between sailings, within budget and resource constraints))~~ to contract with uniformed officers for additional traffic control assistance at the Fautleroy ferry terminal.

~~((b) The Washington state transportation center must use new traffic management models and scheduling tools to examine proposed improvements for the triangle route. The department~~

shall report to the standing transportation committees of the legislature by January 15, 2021. The report must include:

(i) ~~Implementation and status of data collection, modeling, scheduling, capital investments, and procedural improvements to allow Washington state ferries to schedule more sailings to and from all stops on the triangle route with minimum time between sailings;~~

(ii) ~~Recommendations for emergency boat allocations, regular schedule policies, and emergency schedule policies based on all customers alternative travel options to ensure that any dock with no road access is prioritized in scheduling and scheduled service is provided based on population size, demographics, and local medical services;~~

(iii) ~~Triangle route pilot economic analysis of Washington state ferries fare revenue and fuel cost impact of offering additional, better spaced sailings;~~

(iv) ~~Results of an economic analysis of the return on investment of potentially acquiring and using traffic control infrastructure, technology, walk on loading bridges, and Good to Go and ORCA replacement of current fare sales, validation, collections, accounting, and all associated labor and benefits costs that can be saved via those capital investments; and~~

(v) ~~Recommendation on policies, procedures, or agency interpretations of statute that may be adopted to mitigate any delays or disruptions to scheduled sailings.~~

(e) ~~If at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection (9) lapses.)~~

(10) \$15,139,000 of the Puget Sound ferry operations account—state appropriation is provided solely for training. Of the amount provided in this subsection:

(a) \$2,500,000 is for training for new employees.

(b) \$160,000 is for electronic chart display and information system training.

(c) \$379,000 is for marine evacuation slide training.

Sec. 222. 2019 c 416 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING

Multimodal Transportation Account—State Appropriation	(((\$75,576,000))
.....	<u>\$70,243,000</u>
Multimodal Transportation Account—Private/Local Appropriation	\$717,000
Multimodal Transportation Account—Federal Appropriation	\$500,000
TOTAL APPROPRIATION.....	<u>\$76,793,000</u>
.....	<u>\$71,460,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1)(a)(i) \$224,000 of the multimodal transportation account—state appropriation and \$671,000 of the multimodal transportation account—private/local appropriation are provided solely for continued analysis of the ultra high-speed ground transportation corridor in a new study, with participation from Washington, Oregon, and British Columbia. No funds may be expended until the department is in receipt of \$671,000 in private/local funding provided solely for this purpose.

(ii) The ultra high-speed ground transportation corridor advisory group must include legislative membership.

(iii) "Ultra high-speed" means a maximum testing speed of at least two hundred fifty miles per hour.

(b) The study must consist of the following:

(i) Development of proposed corridor governance, general powers, operating structure, legal instruments, and contracting requirements, in the context of the roles of relevant jurisdictions, including federal, state, provincial, and local governments;

(ii) ~~((An assessment of current laws in state and provincial jurisdictions and identification of any proposed changes to laws, regulations, and/or agreements that are needed to proceed with development))~~ Development of a long-term funding and financing strategy for project initiation, development, construction, and program administration of the high-speed corridor, building on the funding and financing chapter of the 2019 business case analysis and aligned with the recommendations of (b)(i) of this subsection; and

(iii) ~~Development of ((general recommendations for the authorization needed to advance the development of the corridor))~~ recommendations for a department-led ultra-high speed corridor engagement plan for policy leadership from elected officials.

(c) This study must build on the results of the 2018 Washington state ultra high-speed ground transportation business case analysis and the 2019 Washington state ultra high-speed ground transportation study findings report. The department shall consult with the transportation committees of the legislature regarding all issues related to proposed corridor governance.

~~((e))~~ (d) The development work referenced in (b) of this subsection is intended to identify and make recommendations related to specific entities, including interjurisdictional entities, policies, and processes required for the purposes of furthering preliminary analysis efforts for the ultra high-speed ground transportation corridor. This development work is not intended to authorize one or more entities to assume decision making authority for the design, construction, or operation of an ultra high-speed rail corridor.

~~((d))~~ (e) By January 1, 2021, the department shall provide to the governor and the transportation committees of the legislature an interim update on the study required under this subsection (1). By ~~((December))~~ June 1, ((2020)) 2021, the department shall provide to the governor and the transportation committees of the legislature a report of the study's findings regarding the three elements noted in this subsection. As applicable, the report should also be sent to the executive and legislative branches of government in the state of Oregon and appropriate government bodies in the province of British Columbia.

(2) The department is directed to continue to pursue efforts to reduce costs, increase ridership, and review Amtrak Cascades fares and fare schedules. Within thirty days of each annual cost/revenue reconciliation under the Amtrak service contract, the department shall report annual credits to the office of financial management and the legislative transportation committees. Annual credits from Amtrak to the department including, but not limited to, credits due to higher ridership, reduced level of service, and fare or fare schedule adjustments, must be used to offset corresponding amounts of the multimodal transportation account—state appropriation, which must be placed in reserve.

Sec. 223. 2019 c 416 s 223 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—OPERATING

Motor Vehicle Account—State Appropriation	(((\$12,190,000))
.....	<u>\$12,183,000</u>
Motor Vehicle Account—Federal Appropriation	\$2,567,000
Multiuse Roadway Safety Account—State Appropriation	\$132,000
Multimodal Transportation Account—State Appropriation	\$350,000

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

TOTAL APPROPRIATION.....	\$15,239,000
.....	<u>\$15,232,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$350,000 of the multimodal transportation account—state appropriation is provided solely for a study by the Puget Sound regional council of new passenger ferry service to better connect communities throughout the twelve county Puget Sound region. The study must assess potential new routes, identify future terminal locations, and provide recommendations to accelerate the electrification of the ferry fleet. The study must identify future passenger only demand throughout Western Washington, analyze potential routes and terminal locations on Puget Sound, Lake Washington, and Lake Union with an emphasis on preserving waterfront opportunities in public ownership and opportunities for partnership. The study must determine whether and when the passenger ferry service achieves a net reduction in carbon emissions including an analysis of the emissions of modes that passengers would otherwise have used. The study must estimate capital and operating costs for routes and terminals. The study must include early and continuous outreach with all interested stakeholders and a report to the legislature and all interested parties by January 31, 2021.

(2) \$1,142,000 of the motor vehicle account—state appropriation is provided solely for the department, 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:

(a) In coordination with stakeholders, identify county-owned fish passage barriers, with priority given to barriers that share the same stream system as state-owned fish passage barriers. The study must identify, map, and provide a preliminary assessment of county-owned barriers that need correction, and provide, where possible, preliminary costs estimates for each barrier correction. The study must provide recommendations on:

(i) How to prioritize county-owned barriers within the same stream system of state-owned barriers in the current six-year construction plan to maximize state investment; and

(ii) How future state six-year construction plans should incorporate county-owned barriers;

(b) Update the local agency guidelines manual, including exploring alternatives within the local agency guidelines manual on county priorities;

(c) Study the current state of county transportation funding, identify emerging issues, and identify potential future alternative transportation fuel funding sources to meet current and future needs.

TRANSPORTATION AGENCIES—CAPITAL

Sec. 301. 2019 c 416 s 301 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account—State Appropriation	.....(((\$18,094,000))
.....	<u>\$16,215,000</u>
Highway Safety Account—State Appropriation.....	<u>\$81,000</u>
Motor Vehicle Account—State Appropriation	<u>\$5,000,000</u>
Freight Mobility Multimodal Account—State Appropriation	.....(((\$21,220,000))
.....	<u>\$16,599,000</u>
Motor Vehicle Account—Federal Appropriation	.....(((\$2,250,000))
.....	<u>\$1,899,000</u>
Freight Mobility Multimodal Account—Private/Local	
Appropriation .....	.....(((\$1,320,000))

.....	<u>\$1,250,000</u>
Multimodal Transportation Account—State Appropriation	<u>..... \$5,000,000</u>
TOTAL APPROPRIATION	<u>\$42,884,000</u>
.....	<u>\$46,044,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as otherwise provided in this section, the entire appropriations in this section are provided solely for the projects by amount, as listed in the LEAP Transportation Document ((2019-3 as developed April 27, 2019-)) 2020-3 as developed February 25, 2020, Senate Chair FMSIB Project List.

(2) ~~((Until directed by the legislature, the board may not initiate a new call for projects. By January 1, 2020, the board must report to the legislature on alternative proposals to revise its project award and obligation process, which result in lower reappropriations.))~~ It is the intent of the legislature that no capital projects be delayed as a result of revenue reductions, but that as a short-term solution appropriation authority for the freight mobility strategic investment board's capital grant programs is reduced to reflect anticipated underruns in this program, based on historical reappropriation levels.

(3) \$5,000,000 of the motor vehicle account—state appropriation and \$5,000,000 of the multimodal transportation account—state appropriation are provided solely as restitutive expenditure authority for the freight mobility strategic investment board's capital grant programs, and may be spent only if a court of final jurisdiction holds that chapter 1 (Initiative Measure No. 976), Laws of 2020 is unconstitutional in its entirety.

Sec. 302. 2019 c 416 s 303 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State Appropriation	.....(((\$65,996,000))
.....	<u>\$59,773,000</u>
Motor Vehicle Account—State Appropriation ((	(\$1,456,000))
.....	<u>\$4,456,000</u>
County Arterial Preservation Account—State Appropriation	.....
.....	<u>\$39,590,000</u>
TOTAL APPROPRIATION	<u>\$107,042,000</u>
.....	<u>\$103,819,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) It is the intent of the legislature that no capital projects be delayed as a result of revenue reductions, but that as a short-term solution appropriation authority for the county road administration board's capital grant programs is reduced to reflect anticipated underruns in this program, based on historical reappropriation levels.

(2) \$3,000,000 of the motor vehicle account—state appropriation is provided solely as restitutive expenditure authority for the county road administration board's capital grant programs, and may be spent only if a court of final jurisdiction holds that chapter 1 (Initiative Measure No. 976), Laws of 2020 is unconstitutional in its entirety.

Sec. 303. 2019 c 416 s 304 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Small City Pavement and Sidewalk Account—State	
Appropriation	<u>\$5,890,000</u>
Motor Vehicle Account—State Appropriation.....	<u>\$5,000,000</u>
Transportation Improvement Account—State Appropriation	.....(((\$228,510,000))
.....	<u>\$220,627,000</u>

Complete Streets Grant Program Account—State Appropriation	(\$14,670,000)
.....	\$10,200,000
TOTAL APPROPRIATION.....	\$249,070,000
.....	\$241,717,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$9,315,000 of the transportation improvement account—state appropriation is provided solely for the Relight Washington Program.

(2) It is the intent of the legislature that no capital projects be delayed as a result of revenue reductions, but that as a short-term solution appropriation authority for the transportation improvement board's capital grant programs is reduced to reflect anticipated underruns in this program, based on historical reapportionment levels.

(3) \$5,000,000 of the motor vehicle account—state appropriation is provided solely as restitutive expenditure authority for the transportation improvement board's capital grant programs, and may be spent only if a court of final jurisdiction holds that chapter 1 (Initiative Measure No. 976), Laws of 2020 is unconstitutional in its entirety.

Sec. 304. 2019 c 416 s 305 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL

Motor Vehicle Account—State Appropriation	(\$50,990,000)
.....	\$51,187,000
Connecting Washington Account—State Appropriation	(\$42,497,000)
.....	\$51,523,000
TOTAL APPROPRIATION.....	\$93,487,000
.....	\$102,710,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$42,497,000)~~ \$51,523,000 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 in Lacey, Washington.

(2)(a) ~~(\$43,100,000)~~ \$43,297,000 of the motor vehicle account—state appropriation is provided solely for the department facility located at 15700 Dayton Ave N in Shoreline. This appropriation is contingent upon the department of ecology signing a not less than twenty-year agreement to pay a share of any financing contract issued pursuant to chapter 39.94 RCW.

(b) Payments from the department of ecology as described in this subsection shall be deposited into the motor vehicle account.

(c) Total project costs are not to exceed \$46,500,000.

(3) \$1,565,000 from the motor vehicle account—state appropriation is provided solely for furniture for the renovated Northwest Region Headquarters at Dayton Avenue. The department must efficiently furnish the renovated building. ~~((The amount provided in this subsection is the maximum the department may spend on furniture for this facility.))~~

Sec. 305. 2019 c 416 s 306 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I

(High Occupancy Toll Lanes Operations Account—State Appropriation	\$7,000,000)
Transportation Partnership Account—State Appropriation	(\$325,275,000)
.....	\$408,660,000

Motor Vehicle Account—State Appropriation	(\$92,504,000)
.....	\$141,611,000
Motor Vehicle Account—Federal Appropriation	(\$154,337,000)
.....	\$167,313,000

Motor Vehicle Account—Private/Local Appropriation	(\$26,839,000)
.....	\$70,404,000
Connecting Washington Account—State Appropriation	(\$2,137,381,000)
.....	\$2,413,452,000

Special Category C Account—State Appropriation	(\$81,000,000)
.....	\$72,134,000
Multimodal Transportation Account—State Appropriation	(\$5,408,000)
.....	\$4,853,000

Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$77,956,000
Transportation 2003 Account (Nickel Account)—State Appropriation	(\$21,819,000)
.....	\$10,429,000

Interstate 405 and State Route Number 167 Express Toll Lanes ((Operations)) Account—State Appropriation	(\$48,036,000)
.....	\$90,027,000
TOTAL APPROPRIATION	\$2,977,555,000
.....	\$3,456,839,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ~~((2019-4)) 2020-1~~ as developed ~~((April 27, 2019)) February 25, 2020~~, 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 ~~((2019-2)) 2020-2~~ ALL PROJECTS as developed ~~((April 27, 2019)) February 25, 2020~~, 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 or fish passage barrier corrections (OBI4001).

(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. Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised. The department shall submit a report on fiscal year funds transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The connecting Washington account—state appropriation includes up to ~~(\$1,519,899,000)~~ \$1,809,342,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

(5) The special category C account—state appropriation includes up to ~~(((\$75,274,000))~~ \$60,534,000 in proceeds from the sale of bonds authorized in RCW ~~((47.10.864))~~ 47.10.812.

(6) The transportation partnership account—state appropriation includes up to ~~(((\$150,232,000))~~ \$178,407,000 in proceeds from the sale of bonds authorized in RCW ~~((47.10.812))~~ 47.10.873.

(7) The Alaskan Way viaduct replacement project account—state appropriation includes up to \$77,956,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

~~((The multimodal transportation account state appropriation includes up to \$5,408,000 in proceeds from the sale of bonds authorized in RCW 47.10.867.~~

~~(((\$90,464,000))~~ \$165,798,000 of the transportation partnership account—state appropriation, ~~(((\$7,006,000))~~ \$19,790,000 of the motor vehicle account—private/local appropriation, ~~(((\$3,383,000))~~ \$3,384,000 of the transportation 2003 account (nickel account)—state appropriation, \$77,956,000 of the Alaskan Way viaduct replacement project account—state appropriation, and \$1,838,000 of the multimodal transportation account—state appropriation are provided solely for the SR 99/Alaskan Way Viaduct Replacement project (809936Z). It is the intent of the legislature that the \$25,000,000 increase in funding provided in the 2021-2023 fiscal biennium be covered by any legal damages paid to the state as a result of a lawsuit related to contractual provisions for construction and delivery of the Alaskan Way viaduct replacement project. The legislature intends that the \$25,000,000 of the transportation partnership account—state funds be repaid when those damages are recovered.

~~(((\$40))~~ (9) \$3,000,000 of the multimodal transportation account—state appropriation is provided solely for transit mitigation for the SR 99/Viaduct Project - Construction Mitigation project (809940B).

~~(((\$11) \$164,000,000))~~ (10) \$168,655,000 of the connecting Washington account—state appropriation ~~((is)),~~ \$1,052,000 of the special category C account—state appropriation, and \$738,000 of the motor vehicle account—private/local appropriation are provided solely for the US 395 North Spokane Corridor project (M00800R).

~~(((\$12(a) \$22,195,000 of the transportation partnership account state appropriation, \$12,805,000 of the transportation 2003 account (nickel account) state appropriation, and \$48,000,000))~~ (11) \$82,991,000 of the Interstate 405 and state route number 167 express toll lanes ~~((operations))~~ account—state appropriation ~~((are))~~ is provided solely for the I-405/SR 522 to I-5 Capacity Improvements project (L2000234) for activities related to adding capacity on Interstate 405 between state route number 522 and Interstate 5, with the goals of increasing vehicle throughput and aligning project completion with the implementation of bus rapid transit in the vicinity of the project. ~~((The transportation partnership account state appropriation and transportation 2003 account (nickel account) state appropriation are a transfer or a reappropriation of a transfer from the I-405/Kirkland Vicinity Stage 2 Widening project (SBI1002) due to savings and will fund right of way and construction for an additional phase of this I-405 project.~~

~~((b) If sufficient bonding authority to complete this project is not provided within chapter 421 (Engrossed Substitute Senate Bill No. 5825), Laws of 2019 (addressing tolling) or chapter 421 (House Bill No. 2132), Laws of 2019 (addressing tolling), or within a bond authorization act referencing chapter . . . (Engrossed Substitute Senate Bill No. 5825), Laws of 2019 or chapter . . . (House Bill No. 2132), Laws of 2019, by June 30, 2019, \$21,000,000 of the Interstate 405 express toll lanes operations account state appropriation provided in this~~

~~subsection lapses, and it is the intent of the legislature to reduce the Interstate 405 express toll lanes operations account state appropriation in the 2021-2023 biennium to \$5,000,000, and in the 2023-2025 biennium to \$0 on the list referenced in subsection (2) of this section.)~~

~~(((\$13))~~ (12)(a) ~~(((\$395,822,000))~~ \$422,099,000 of the connecting Washington account—state appropriation ~~(((\$60,000 of the motor vehicle account state appropriation,))~~ and ~~(((\$342,000))~~ \$456,000 of the motor vehicle account—private/local appropriation are provided solely for the SR 520 Seattle Corridor Improvements - West End project (M00400R).

(b) Recognizing that the department of transportation requires full possession of parcel number 1-23190 to complete the Montlake Phase of the West End project, the department is directed to:

(i) Work with the operator of the Montlake boulevard market located on parcel number 1-23190 to negotiate a lease allowing continued operations up to January 1, 2020. After that time, the department shall identify an area in the vicinity of the Montlake property for a temporary market or other food service to be provided during the period of project construction. Should the current operator elect not to participate in providing that temporary service, the department shall then develop an outreach plan with the city to solicit community input on the food services provided, and then advertise the opportunity to other potential vendors. Further, the department shall work with the city of Seattle and existing permit processes to facilitate vendor access to and use of the area in the vicinity of the Montlake property.

(ii) Upon completion of the Montlake Phase of the West End project (current anticipated contract completion of 2023), WSDOT shall sell that portion of the property not used for permanent transportation improvements and initiate a process to convey that surplus property to a subsequent owner.

(c) \$60,000 of the motor vehicle account—state appropriation is provided solely for grants to nonprofit organizations located in a city with a population exceeding six hundred thousand persons and that empower artists through equitable access to vital expertise, opportunities, and business services. Funds may be used only for the purpose of preserving, commemorating, and sharing the history of the city of Seattle's freeway protests and making the history of activism around the promotion of more integrated transportation and land use planning accessible to current and future generations through the preservation of Bent 2 of the R. H. Thompson freeway ramp.

~~(((\$14))~~ (13) 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.

~~(((\$15) \$265,100,000))~~ (14) \$310,469,000 of the connecting Washington account—state appropriation is provided solely for the SR 167/SR 509 Puget Sound Gateway project (M00600R).

(a) Any savings on the project must stay on the Puget Sound Gateway corridor until the project is complete.

(b) Proceeds from the sale of any surplus real property acquired for the purpose of building the SR 167/SR 509 Puget Sound Gateway (M00600R) project must be deposited into the motor vehicle account for the purpose of constructing the project.

(c) 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.

(d) It is the legislature's intent that the department shall construct a full single-point urban interchange at the junction of state route number 161 (Meridian avenue) and state route number 167 and a full single-point urban interchange at the junction of state route number 509 and 188th Street. If the department receives additional funds from an outside source for this project after the base project is fully funded, the funds must first be applied toward the completion of these two full single-point urban interchanges.

(e) In designing the state route number 509/state route number 516 interchange component of the SR 167/SR 509 Puget Sound Gateway project (M00600R), the department shall make every effort to utilize the preferred "4B" design.

(f) The department shall explore the development of a multiuse trail for bicyclists, pedestrians, skateboarders, and similar users along the SR 167 right-of-way acquired for the project to connect a network of new and existing trails from Mount Rainier to Point Defiance Park.

(g) If sufficient bonding authority to complete this project is not provided within chapter 421 (~~Engrossed Substitute Senate Bill No. 5825~~), Laws of 2019 (addressing tolling) or chapter . . . (House Bill No. 2132), Laws of 2019 (addressing tolling), or within a bond authorization act referencing chapter 421 (~~Engrossed Substitute Senate Bill No. 5825~~), Laws of 2019 or chapter . . . (House Bill No. 2132), Laws of 2019, by June 30, 2019, it is the intent of the legislature to return the Puget Sound Gateway project (M00600R) to its previously identified construction schedule by moving \$128,900,000 in connecting Washington account—state appropriation back to the 2027-2029 biennium from the 2023-2025 biennium on the list referenced in subsection (2) of this section. If sufficient bonding authority is provided, it is the intent of the legislature to advance the project to allow for earlier completion and inflationary savings.

~~((46))~~ (15) 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.

~~((48) \$950,000)~~ (16) \$1,029,000 of the transportation partnership account—state appropriation is provided solely for the U.S. 2 Trestle IJR project (L1000158).

~~((49))~~ (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 annual budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

~~((20))~~ (18) Any advisory group that the department convenes during the 2019-2021 fiscal biennium must consider the interests of the entire state of Washington.

~~((24))~~ (19) 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. Before 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, 2021, 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.

~~((22))~~ (20)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2021-2023 fiscal biennium, the department may, on a pilot basis, apply funding from a project in this section with an appropriation that cannot be used for the current fiscal biennium to advance one or more of the following projects:

(i) I-82 Yakima - Union Gap Economic Development Improvements (T21100R);

(ii) I-5 Federal Way - Triangle Vicinity Improvements (T20400R); or

(iii) SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering) (NPARADI).

(b) At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2021-2023 fiscal biennium.

(c) For connecting Washington projects that have already begun and are eligible for the authority granted in section 601 of this act, the department shall prioritize advancing the following projects if expected reappropriations become available:

(i) SR 14/I-205 to SE 164th Ave - Auxiliary Lanes (L2000102);

(ii) SR 305 Construction - Safety Improvements (N30500R);

(iii) SR 14/Bingen Underpass (L2220062);

(iv) I-405/NE 132nd Interchange - Totem Lake (L1000110);

(v) US Hwy 2 Safety (N00200R);

(vi) US-12/Walla Walla Corridor Improvements (T20900R);

(vii) I-5 JBLM Corridor Improvements (M00100R);

(viii) I-5/Slater Road Interchange - Improvements (L1000099);

(ix) SR 510/Yelm Loop Phase 2 (T32700R); or

(x) SR 520/124th St Interchange (Design and Right of Way) (L1000098).

(d) To the extent practicable, the department shall use the flexibility and authority granted in this section and in section 601 of this act to minimize the amount of reappropriations needed each biennium.

~~((23))~~ (21) The legislature continues to prioritize the replacement of the state's aging infrastructure and recognizes the importance of reusing and recycling construction aggregate and recycled concrete materials in our transportation system. To accomplish Washington state's sustainability goals in transportation and in accordance with RCW 70.95.805, the legislature reaffirms its determination that recycled concrete aggregate and other transportation building materials are natural resource construction materials that are too valuable to be wasted and landfilled, and are a commodity as defined in WAC 173-350-100.

Further, the legislature determines construction aggregate and recycled concrete materials substantially meet widely recognized international, national, and local standards and specifications referenced in American society for testing and materials, American concrete institute, Washington state department of transportation, Seattle department of transportation, American

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

public works association, federal aviation administration, and federal highway administration specifications, and are described as necessary and desirable products for recycling and reuse by state and federal agencies.

As these recyclable materials have well established markets, are substantially a primary or secondary product of necessary construction processes and production, and are managed as an item of commercial value, construction aggregate and recycled concrete materials are exempt from chapter 173-350 WAC.

~~((24))~~ (22)(a) \$17,500,000 of the motor vehicle account—state appropriation is provided solely for staffing of a project office to replace the Interstate 5 bridge across the Columbia river (G2000088). If at least a \$9,000,000 transfer is not authorized in section 406(29) ~~((of this act))~~, chapter 416, Laws of 2019, then \$9,000,000 of the motor vehicle account—state appropriation lapses.

(b) Of the amount provided in this subsection, \$7,780,000 of the motor vehicle account—state appropriation must be placed in unallotted status by the office of financial management until the department develops a detailed plan for the work of this project office in consultation with the chairs and ranking members of the transportation committees of the legislature. The director of the office of financial management shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.

(c) The work of this project office includes, but is not limited to, the reevaluation of the purpose and need identified for the project previously known as the Columbia river crossing, the reevaluation of permits and development of a finance plan, the reengagement of key stakeholders and the public, and the reevaluation of scope, schedule, and budget for a reinvigorated bistate effort for replacement of the Interstate 5 Columbia river bridge. When reevaluating the finance plan for the project, the department shall assume that some costs of the new facility may be covered by tolls. The project office must also study the possible different governance structures for a bridge authority that would provide for the joint administration of the bridges over the Columbia river between Oregon and Washington. As part of this study, the project office must examine the feasibility and necessity of an interstate compact in conjunction with the national center for interstate compacts.

(d) Within the amount provided in this subsection, the department must implement chapter 137 ~~((Engrossed Substitute House Bill No. 1994))~~, Laws of 2019 (projects of statewide significance).

(e) The department shall have as a goal to:

- (i) Reengage project stakeholders and reevaluate the purpose and need and environmental permits by July 1, 2020;
- (ii) Develop a finance plan by December 1, 2020; and
- (iii) Have made significant progress toward beginning the supplemental environmental impact statement process by June 30, 2021. The department shall aim to provide a progress report on these activities to the governor and the transportation committees of the legislature by December 1, 2019, and a final report to the governor and the transportation committees of the legislature by December 1, 2020.

~~((25))~~ (23) \$17,500,000 of the motor vehicle account—state appropriation is provided solely to begin the pre-design phase on the I-5/Columbia River Bridge project (G2000088); however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 ~~((Engrossed Substitute Senate Bill No. 5993))~~, Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses.

~~((26))~~ (24)(a) ~~((36,500,000))~~ \$191,360,000 of the connecting Washington account—state appropriation, ~~((44,961,000))~~ \$47,655,000 of the motor vehicle account—federal appropriation, \$11,179,000 of the motor vehicle account—private/local appropriation, \$6,100,000 of the motor vehicle account—state appropriation, and ~~((18,539,000))~~ \$18,706,000 of the transportation partnership account—state appropriation are provided solely for the Fish Passage Barrier project (0BI4001) with the intent of fully complying with the court injunction by 2030.

(b) Of the amounts provided in this subsection, \$320,000 of the connecting Washington account—state appropriation is provided solely to remove the fish passage barrier on state route number 6 that interfaces with Boistfort Valley water utilities near milepost 46.6.

(c) The department shall coordinate with the Brian Abbott fish passage barrier removal board to use a watershed approach to maximize habitat gain by replacing both state and local culverts. The department shall deliver high habitat value fish passage barrier corrections that it has identified, guided by the following factors: Opportunity to bundle projects, ability to leverage investments by others, presence of other barriers, project readiness, other transportation projects in the area, and transportation impacts.

(d) The department must keep track of, for each barrier removed: (i) The location; (ii) the amount of fish habitat gain; and (iii) the amount spent to comply with the injunction.

(e) It is the intent of the legislature that for the amount listed for the 2021-2023 biennium for the Fish Barriers project (G2000091) on the LEAP list referenced in subsection (1) of this section, that accrued practical design savings deposited in the transportation future funding program account be used to help fund the cost of fully complying with the court injunction by 2030.

~~((27))~~ (25) ~~\$14,750,000~~ \$16,649,000 of the connecting Washington account—state appropriation, \$373,000 of the motor vehicle account—state appropriation, and \$6,000,000 of the motor vehicle account—private/local appropriation are provided solely for the I-90/Barker to Harvard – Improve Interchanges & Local Roads project (L2000122). The connecting Washington account appropriation for the improvements that fall within the city of Liberty Lake may only be expended if the city of Liberty Lake agrees to cover any project costs within the city of Liberty Lake above the \$20,900,000 of state appropriation provided for the total project in LEAP Transportation Document ~~((2019-1))~~ 2020-1 as developed ~~((April 27, 2019))~~ February 25, 2020, Program – Highway Improvements (I).

~~((28))~~ (26)(a) ~~((7,960,000))~~ \$6,799,000 of the motor vehicle account—federal appropriation, ~~((72,000))~~ \$31,000 of the motor vehicle account—state appropriation, ~~((3,580,000))~~ \$3,812,000 of the transportation partnership account—state appropriation, and \$7,000,000 of the ~~((high occupancy))~~ Interstate 405 and state route number 167 express toll lanes ~~((operations))~~ account—state appropriation are provided solely for the SR 167/SR 410 to SR 18 - Congestion Management project (316706C).

(b) If sufficient bonding authority to complete this project is not provided within chapter 421 ~~((Engrossed Substitute Senate Bill No. 5825))~~, Laws of 2019 (addressing tolling) or chapter . . . (House Bill No. 2132), Laws of 2019 (addressing tolling), or within a bond authorization act referencing chapter 421 ~~((Engrossed Substitute Senate Bill No. 5825))~~, Laws of 2019 or chapter . . . (House Bill No. 2132), Laws of 2019, by June 30, 2019, it is the intent of the legislature to remove the \$100,000,000 in toll funding from this project on the list referenced in subsection (2) of this section.

~~((29))~~ (27) For the I-405/North 8th Street Direct Access Ramp in Renton project (L1000280), if sufficient bonding authority to begin this project is not provided within chapter 421 (~~((Engrossed Substitute Senate Bill No. 5825))~~), Laws of 2019 (addressing tolling) or chapter . . . (House Bill No. 2132), Laws of 2019 (addressing tolling), or within a bond authorization act referencing chapter 421 (~~((Engrossed Substitute Senate Bill No. 5825))~~), Laws of 2019 or chapter . . . (House Bill No. 2132), Laws of 2019, by June 30, 2019, it is the intent of the legislature to remove the project from the list referenced in subsection (2) of this section.

~~((30) \$7,900,000)~~ (28) \$7,985,000 of the Special Category C account—state appropriation and \$1,000,000 of the motor vehicle account—private/local appropriation are provided solely for the SR 18 Widening - Issaquah/Hobart Rd to Raging River project (L1000199) for improving and widening state route number 18 to four lanes from Issaquah-Hobart Road to Raging River.

~~((31))~~ (29) \$2,250,000 of the motor vehicle account—state appropriation is provided solely for the I-5 Corridor from Mounts Road to Tumwater project (L1000231) for completing a National and State Environmental Policy Act (NEPA/SEPA) analysis to identify mid- and long-term environmental impacts associated with future improvements along the I-5 corridor from Tumwater to DuPont.

~~((32) \$1,290,000)~~ (30) \$622,000 of the motor vehicle account—state appropriation is provided solely for the US 101/East Sequim Corridor Improvements project (L2000343); however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (~~((Engrossed Substitute Senate Bill No. 5993))~~), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses.

~~((33) \$12,800,000)~~ (31) \$12,916,000 of the motor vehicle account—state appropriation is provided solely for the SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering) project (NPARADI); however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (~~((Engrossed Substitute Senate Bill No. 5993))~~), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses.

~~((34))~~ (32) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the US 101/Morse Creek Safety Barrier project (L1000247); however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (~~((Engrossed Substitute Senate Bill No. 5993))~~), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses.

~~((35))~~ (33) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the SR 162/410 Interchange Design and Right of Way project (L1000276); however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (~~((Engrossed Substitute Senate Bill No. 5993))~~), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses.

~~((36) \$1,000,000)~~ (34) \$679,000 of the motor vehicle account—state appropriation is provided solely for the I-5/Rush Road Interchange Improvements project (L1000223); however, if at least \$50,000,000 is not made available, by means of transfer,

deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (~~((Engrossed Substitute Senate Bill No. 5993))~~), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses.

(35) It is the intent of the legislature that no capital projects be delayed as a result of revenue reductions, but that as a short-term solution appropriation authority for this program is reduced to reflect anticipated underruns in this program, based on historical reappropriation levels.

(36) \$45,000,000 of the motor vehicle account—state appropriation is provided solely as restitutive expenditure authority for projects as listed by amount on the LEAP list referenced in subsection (2) of this section, and may be spent only if a court of final jurisdiction holds that chapter 1 (Initiative Measure No. 976), Laws of 2020 is unconstitutional in its entirety.

Sec. 306. 2019 c 416 s 307 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
PRESERVATION—PROGRAM P**

Recreational Vehicle Account—State	Appropriation	.....	((1,744,000))
		.....	<u>\$2,971,000</u>
Transportation Partnership Account—State	Appropriation	.....	((23,706,000))
		.....	<u>\$20,248,000</u>
Motor Vehicle Account—State	Appropriation	.....	((74,885,000))
		.....	<u>\$82,447,000</u>
Motor Vehicle Account—Federal	Appropriation	.....	((454,758,000))
		.....	<u>\$490,744,000</u>
Motor Vehicle Account—Private/Local	Appropriation	.....	((5,159,000))
		.....	<u>\$7,408,000</u>
State Route Number 520 Corridor Account—State	Appropriation	.....	((544,000))
		.....	<u>\$326,000</u>
Connecting Washington Account—State	Appropriation	.....	((189,771,000))
		.....	<u>\$204,630,000</u>
Tacoma Narrows Toll Bridge Account—State	Appropriation	.....	((7,906,000))
		.....	<u>\$8,350,000</u>
Alaskan Way Viaduct Replacement Project Account—State	Appropriation	.....	\$10,000
Interstate 405 and State Route Number 167 Express	Toll Lanes Account—State	Appropriation	.....
		.....	<u>\$3,018,000</u>
Transportation 2003 Account (Nickel Account)—State	Appropriation	.....	((9,617,000))
		.....	<u>\$17,892,000</u>
TOTAL APPROPRIATION		.....	<u>\$768,100,000</u>
		.....	<u>\$838,044,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document (~~((2019-4))~~ 2020-1 as developed (~~((April 27, 2019))~~ February 25, 2020, 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 ((2019-2)) 2020-2 ALL PROJECTS as developed ((April 27, 2019)) February 25, 2020, 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 or fish passage barrier corrections (0BI4001).

(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. Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised. The department shall submit a report on fiscal year funds transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) ((~~\$25,036,000~~)) \$26,683,000 of the connecting Washington account—state appropriation is provided solely for the land mobile radio upgrade (G2000055) and is subject to the conditions, limitations, and review provided in section 701 of this act. The land mobile radio project is subject to technical oversight by the office of the chief information officer. The department, in collaboration with the office of the chief information officer, shall identify where existing or proposed mobile radio technology investments should be consolidated, identify when existing or proposed mobile radio technology investments can be reused or leveraged to meet multiagency needs, increase mobile radio interoperability between agencies, and identify how redundant investments can be reduced over time. The department shall also provide quarterly reports to the technology services board on project progress.

(5) ((~~\$2,500,000~~)) \$4,000,000 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 mitigation activities have been exhausted. No funds provided in this subsection may be expended on any legal fees related to the SR 99/Alaskan Way viaduct replacement project (809936Z).

(6) The appropriation in this section includes funding for starting planning, engineering, and construction of the Elwha River bridge replacement. To the greatest extent practicable, the department shall maintain public access on the existing route.

(7) ((~~\$22,729,000~~)) \$21,289,000 of the motor vehicle account—federal appropriation and ((~~\$553,000~~)) \$840,000 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 (L1000068). These funds must be used widely around the state of Washington. When practicable, the department shall pursue design-build contracts for these bridge projects to expedite delivery. The department shall provide a report that identifies the progress of each project funded in this subsection as part of its annual agency budget request.

(8) The department must consult with the Washington state patrol and the office of financial management during the design phase of any improvement or preservation project that could impact Washington state patrol weigh station operations. During the design phase of any such project, the department must estimate the cost of designing around the affected weigh station's current operations, as well as the cost of moving the affected weigh station.

(9) During the course of any planned resurfacing or other preservation activity on state route number 26 between Colfax and Othello in the 2019-2021 fiscal biennium, the department must add dug-in reflectors.

(10)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2021-2023 fiscal biennium, the department may, on a pilot basis, apply funding from a project in this section with an appropriation that cannot be used for the current fiscal biennium to advance the SR 4/Abernathy Creek Br - Replace Bridge project (400411A).

(b) At least ten business days before advancing the project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of the project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2021-2023 fiscal biennium.

(c) To the extent practicable, the department shall use the flexibility and authority granted in this section and in section 601 of this act to minimize the amount of reappropriations needed each biennium.

(11) Within the connecting Washington account—state appropriation, the department may transfer funds from Highway System Preservation (L1100071) to other preservation projects listed in the LEAP transportation document identified in subsection (1) of this section, if it is determined necessary for completion of these high priority preservation projects. The department's next budget submittal after using this subsection must appropriately reflect the transfer.

Sec. 307. 2019 c 416 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—CAPITAL

Motor Vehicle Account—State Appropriation ((\$7,311,000))	\$8,433,000
Motor Vehicle Account—Federal Appropriation	((\$5,331,000))
Motor Vehicle Account—Private/Local Appropriation	((\$500,000))
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	\$100,000
TOTAL APPROPRIATION	\$13,142,000
	((\$15,249,000))

The appropriations in this section are subject to the following conditions and limitations:

(1) \$700,000 of the motor vehicle account—state appropriation is provided solely for the SR 99 Aurora Bridge ITS project (L2000338); however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 ((~~Engrossed Substitute Senate Bill No. 5993~~)), Laws of 2019

(model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses.

(2) It is the intent of the legislature that no capital projects be delayed as a result of revenue reductions, but that as a short-term solution appropriation authority for this program is reduced to reflect anticipated underruns in this program, based on historical reappropriation levels.

(3) \$700,000 of the motor vehicle account—state appropriation is provided solely as restitutive expenditure authority for projects as listed by amount in LEAP Transportation Document 2020-2 ALL PROJECTS as developed February 25, 2020, Program – Traffic Operations (O), and may be spent only if a court of final jurisdiction holds that chapter 1 (Initiative Measure No. 976), Laws of 2020 is unconstitutional in its entirety.

Sec. 308. 2019 c 416 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	(\$111,076,000)
.....	\$114,953,000
Puget Sound Capital Construction Account—Federal Appropriation	(\$141,750,000)
.....	\$198,688,000
Puget Sound Capital Construction Account—Private/Local Appropriation	(\$350,000)
.....	\$4,779,000
Transportation Partnership Account—State Appropriation	(\$4,936,000)
.....	\$6,582,000
Connecting Washington Account—State Appropriation	(\$92,766,000)
.....	\$96,617,000
Capital Vessel Replacement Account—State Appropriation	(\$99,000,000)
.....	\$96,030,000
<u>Motor Vehicle Account—State Appropriation</u>	<u>\$5,000,000</u>
<u>Transportation 2003 Account (Nickel Account)—State Appropriation</u>	<u>\$986,000</u>
TOTAL APPROPRIATION.....	\$449,878,000
.....	\$523,635,000

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 ((2019-2)) 2020-2 ALL PROJECTS as developed ((April 27, 2019)) February 25, 2020, Program - Washington State Ferries Capital Program (W).

(2) ~~(\$1,461,000)~~ \$2,857,000 of the Puget Sound capital construction account—state appropriation, ~~(\$59,650,000)~~ \$17,832,000 of the Puget Sound capital construction account—federal appropriation, and \$63,789,000 of the connecting Washington account—state appropriation, are provided solely for the Mukilteo ferry terminal (952515P). To the extent practicable, the department shall avoid the closure of, or disruption to, any existing public access walkways in the vicinity of the terminal project during construction.

(3) ~~(\$73,089,000)~~ \$102,641,000 of the Puget Sound capital construction account—federal appropriation(~~(\$33,089,000)~~) and \$34,998,000 of the connecting Washington account—state appropriation(~~(\$ and \$8,778,000 of the Puget Sound capital construction account—state appropriation)~~) are provided solely for the Seattle Terminal Replacement project (900010L).

(4) ~~(\$5,000,000)~~ \$5,357,000 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) \$2,300,000 of the Puget Sound capital construction account—state appropriation is provided solely for the ORCA acceptance project (L2000300). The ferry system shall work with Washington technology solutions and the tolling division on the development of a new, interoperable ticketing system.

(6) \$495,000 of the Puget Sound capital construction account—state appropriation is provided solely for an electric ferry planning team (G2000087) to develop ten-year and twenty-year implementation plans to efficiently deploy hybrid-electric vessels, including a cost-benefit analysis of construction and operation of hybrid-electric vessels with and without charging infrastructure. The plan includes, but is not limited to, vessel technology and feasibility, vessel and terminal deployment schedules, project financing, and workforce requirements. The plan shall be submitted to the office of financial management and the transportation committees of the legislature by June 30, 2020.

(7) \$35,000,000 of the Puget Sound capital construction account—state appropriation and ~~(\$6,500,000)~~ \$8,000,000 of the Puget Sound capital construction account—federal appropriation are provided solely for the conversion of up to two Jumbo Mark II vessels to electric hybrid propulsion (G2000084). The department shall seek additional funds for the purposes of this subsection. The department may spend from the Puget Sound capital construction account—state appropriation in this section only as much as the department receives in Volkswagen settlement funds for the purposes of this subsection.

(8) \$400,000 of the Puget Sound capital construction account—state appropriation is provided solely for a request for proposals for a new maintenance management system (project L2000301) and is subject to the conditions, limitations, and review provided in section 701 of this act.

(9) ~~(\$99,000,000)~~ \$96,030,000 of the capital vessel replacement account—state appropriation is provided solely for the acquisition of a 144-car hybrid-electric vessel. The vendor must present to the joint transportation committee and the office of financial management, by September 15, 2019, a list of options that will result in significant cost savings changes in terms of construction or the long-term maintenance and operations of the vessel. The vendor must allow for exercising the options without a penalty. It is the intent of the legislature to provide an additional \$88,000,000 in funding in the 2021-23 biennium. ~~((Unless (a) chapter 431 (Engrossed Substitute House Bill No. 2161), Laws of 2019 (capital surcharge) or chapter . . . (Substitute Senate Bill No. 5992), Laws of 2019 (capital surcharge) is enacted by June 30, 2019, and (b) chapter 417 (Engrossed House Bill No. 1789), Laws of 2019 (service fees) or chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019 (service fees) is enacted by June 30, 2019, the amount provided in this subsection lapses.))~~ The reduction provided in this subsection is an assumed underrun pursuant to subsection (11) of this section.

(10) The capital vessel replacement account—state appropriation includes up to ~~(\$99,000,000)~~ \$96,030,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(11) It is the intent of the legislature that no capital projects be delayed as a result of revenue reductions, but that as a short-term solution appropriation authority for this program is reduced to reflect anticipated underruns in this program, based on historical reappropriation levels.

(12) \$5,000,000 of the motor vehicle account—state appropriation is provided solely as restitutive expenditure authority for projects as listed by amount in LEAP Transportation Document 2020-2 ALL PROJECTS as developed February 25,

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

2020, Program – Washington State Ferries Capital Program (W), and may be spent only if a court of final jurisdiction holds that chapter 1 (Initiative Measure No. 976), Laws of 2020 is unconstitutional in its entirety.

Sec. 309. 2019 c 416 s 310 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL

Motor Vehicle Account—State Appropriation	\$1,750,000
Essential Rail Assistance Account—State Appropriation	(\$500,000)
.....	\$716,000
Transportation Infrastructure Account—State Appropriation	(\$7,554,000)
.....	\$7,503,000
Multimodal Transportation Account—State Appropriation	(\$85,441,000)
.....	\$95,125,000
Multimodal Transportation Account—Federal Appropriation	(\$8,302,000)
.....	\$8,601,000
Multimodal Transportation Account—Local Appropriation	\$336,000
TOTAL APPROPRIATION.....	\$103,883,000
.....	\$114,031,000

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 (~~(2019-2)~~ 2020-2 ALL PROJECTS as developed (~~(April 27, 2019)~~ February 25, 2020, Program - Rail Program (Y).

(2) \$7,136,000 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. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(3) (~~(\$8,112,000)~~ \$7,968,000 of the multimodal transportation account—state appropriation (~~(, \$51,000 of the transportation infrastructure account—state appropriation, and \$135,000 of the essential rail assistance account—state appropriation are)~~) is provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(4) \$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.

(5)(a) (~~(\$365,000)~~ \$716,000 of the essential rail assistance account—state appropriation (~~(is)~~) and \$82,000 of the multimodal transportation 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 and transfers deposited into the essential rail assistance account from leases and sale of property relating to the Palouse river and Coulee City railroad;

(ii) Revenues from trackage rights agreement fees paid by shippers; and

(iii) Revenues and transfers transferred from the miscellaneous program account to the essential rail assistance account, pursuant to RCW 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, 2020, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

(7) \$10,000,000 of the multimodal transportation account—state appropriation is provided solely as expenditure authority for any insurance proceeds received by the state for Passenger Rail Equipment Replacement (project 700010C.) The department must use this expenditure authority only to purchase (~~(new train sets)~~) replacement equipment that (~~(have)~~) has been competitively procured and for service recovery needs and corrective actions related to the December 2017 derailment.

(8) (~~(\$600,000)~~ \$898,000 of the multimodal transportation account—federal appropriation and (~~(\$6,000)~~ \$8,000 of the multimodal transportation account—state appropriation are provided solely for the Ridgefield Rail Overpass (project 725910A). Total costs for this project may not exceed \$909,000 across fiscal biennia.

(9)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2021-2023 fiscal biennium, the department may, on a pilot basis, apply funding from a project in this section with an appropriation that cannot be used for the current fiscal biennium to advance the South Kelso Railroad Crossing project (L1000147).

(b) At least ten business days before advancing the project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of the project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2021-2023 fiscal biennium.

(c) To the extent practicable, the department shall use the flexibility and authority granted in this section to minimize the amount of reappropriations needed each biennium.

(10) The multimodal transportation account—state appropriation includes up to (~~(\$19,592,000)~~ \$25,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.867.

(11) The department must report to the joint transportation committee on the progress made on freight rail investment bank projects and freight rail assistance projects funded during this biennium by January 1, 2020.

(12) \$1,500,000 of the multimodal transportation account—state appropriation is provided solely for the Chelatchie Prairie railroad roadbed rehabilitation project (L1000233).

(13) \$250,000 of the multimodal transportation account—state appropriation is provided solely for the Port of Moses Lake Northern Columbia Basin railroad feasibility study (L1000235).

(14) \$500,000 of the multimodal transportation account—state appropriation is provided solely for the Spokane airport transload facility project (L1000242).

(15) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the grade separation at Bell road project (L1000239)~~(; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses)).~~

(16) \$750,000 of the motor vehicle account—state appropriation ~~(is) and \$399,000 of the multimodal transportation account—state appropriation~~ are provided solely for the rail crossing improvements at 6th Ave. and South 19th St. project (L2000289)~~(; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses)).~~

(17) It is the intent of the legislature that no capital projects be delayed as a result of revenue reductions, but that as a short-term solution appropriation authority for this program is reduced to reflect anticipated underruns in this program, based on historical reappropriation levels.

(18) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely as restitutive expenditure authority for projects as listed by amount in LEAP Transportation Document 2020-2 ALL PROJECTS as developed February 25, 2020, Program – Rail Program (Y), and may be spent only if a court of final jurisdiction holds that chapter 1 (Initiative Measure No. 976), Laws of 2020 is unconstitutional in its entirety.

Sec. 310. 2019 c 416 s 311 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL

Highway Infrastructure Account—State Appropriation	.....((\$793,000))
	.....<u>\$1,276,000</u>
Highway Infrastructure Account—Federal Appropriation	.....((\$981,000))
	.....<u>\$1,337,000</u>
Transportation Partnership Account—State Appropriation	.....((\$750,000))
	.....<u>\$1,380,000</u>
Highway Safety Account—State Appropriation	.....((\$800,000))
	.....<u>\$1,314,000</u>
Motor Vehicle Account—State Appropriation	.....((\$30,878,000))
	.....<u>\$38,707,000</u>
Motor Vehicle Account—Federal Appropriation	.....((\$33,813,000))
	.....<u>\$67,690,000</u>
Motor Vehicle Account—Private/Local Appropriation	.....((\$21,500,000))
	.....<u>\$29,000,000</u>

Connecting Washington Account—State Appropriation	.....((\$172,454,000))
	.....<u>\$155,550,000</u>
Multimodal Transportation Account—State Appropriation	.....((\$72,269,000))
	.....<u>\$87,469,000</u>
TOTAL APPROPRIATION	.....<u>\$334,238,000</u>
	.....<u>\$383,723,000</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 ~~((2019-2))~~ 2020-2 ALL PROJECTS as developed ~~((April 27, 2019))~~ February 25, 2020, 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) \$18,380,000 of the multimodal transportation account—state appropriation is provided solely for newly selected pedestrian and bicycle safety program projects. ~~((~~\$5,940,000~~))~~ \$18,577,000 of the multimodal transportation account—state appropriation and ~~((~~\$750,000~~))~~ \$1,380,000 of the transportation partnership account—state appropriation are reappropriated for pedestrian and bicycle safety program projects selected in the previous biennia (L2000188).

(b) \$11,400,000 of the motor vehicle account—federal appropriation and \$7,750,000 of the multimodal transportation account—state appropriation are provided solely for newly selected safe routes to school projects. ~~((~~\$6,690,000~~))~~ \$11,354,000 of the motor vehicle account—federal appropriation, ~~((~~\$2,320,000~~))~~ \$4,640,000 of the multimodal transportation account—state appropriation, and ~~((~~\$800,000~~))~~ \$1,314,000 of the highway safety account—state appropriation are reappropriated for safe routes to school projects selected in the previous biennia (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, 2019, and December 1, 2020, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program. The report must include, but is not limited to, a list of projects selected and a brief description of each project's status.

(4) ~~((~~\$28,319,000~~))~~ \$37,537,000 of the multimodal transportation account—state appropriation is provided solely for bicycle and pedestrian projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(5) ~~((~~\$19,160,000~~))~~ \$23,926,000 of the connecting Washington account—state appropriation is provided solely for the Covington Connector (L2000104). The amounts described in the LEAP transportation document referenced in subsection (1) of this section are not a commitment by future legislatures, but it is the legislature's intent that future legislatures will work to approve appropriations in the 2019-2021 fiscal biennium to reimburse the city of Covington for approved work completed on the project up to the full \$24,000,000 cost of this project.

(6)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (1) of this

FIFTY FIRST DAY, MARCH 3, 2020

section, if the department expects to have substantial reappropriations for the 2021-2023 fiscal biennium, the department may, on a pilot basis, apply funding from a project in this section with an appropriation that cannot be used for the current fiscal biennium to advance one or more of the following projects:

- (i) East-West Corridor Overpass and Bridge (L2000067);
- (ii) 41st Street Rucker Avenue Freight Corridor Phase 2 (L2000134);
- (iii) Mottman Rd Pedestrian & Street Improvements (L1000089);
- (iv) I-5/Port of Tacoma Road Interchange (L1000087);
- (v) Complete SR 522 Improvements-Kenmore (T10600R);
- (vi) SR 99 Revitalization in Edmonds (NEDMOND); or
- (vii) SR 523 145th Street (L1000148);

(b) At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2021-2023 fiscal biennium.

(c) To the extent practicable, the department shall use the flexibility and authority granted in this section to minimize the amount of reappropriations needed each biennium.

(7) It is the expectation of the legislature that the department will be administering a local railroad crossing safety grant program for \$7,000,000 in federal funds during the 2019-2021 fiscal biennium.

(8)(a) (~~(\$15,213,000)~~) \$41,483,000 of the motor vehicle account—federal appropriation is provided solely for national highway freight network projects identified on the project list submitted in accordance with section 218(4)(b), chapter 14, Laws of 2016 on October 31, 2016.

(b) In advance of the expiration of the fixing America's surface transportation (FAST) act in 2020, the department must work with the Washington state freight advisory committee to agree on a framework for allocation of any new national highway freight funding that may be approved in a new federal surface transportation reauthorization act. The department and representatives of the advisory committee must report to the joint transportation committee by October 1, 2020, on the status of planning for allocating new funds for this program.

(9) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the Beech Street Extension project (L1000222)(~~(\$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses).~~).

(10) \$3,900,000 of the motor vehicle account—state appropriation is provided solely for the Dupont-Steilacoom road improvements project (L1000224)(~~(\$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses).~~).

(11) \$650,000 of the motor vehicle account—state appropriation is provided solely for the SR 104/40th place northeast roundabout project (L1000244)(~~(\$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle~~

2020 REGULAR SESSION

~~account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses).~~

(12) \$860,000 of the multimodal transportation account—state appropriation is provided solely for the Clinton to Ken's corner trail project (L1000249).

(13) \$210,000 of the motor vehicle account—state appropriation is provided solely for the I-405/44th gateway signage and green-scaping improvements project (L1000250)(~~(\$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses).~~).

(14) (~~(\$750,000 of the multimodal transportation account—state appropriation is provided solely for the Edmonds waterfront connector project (L1000252).~~

~~(15))~~ \$650,000 of the motor vehicle account—state appropriation is provided solely for the Wallace Kneeland and Shelton springs road intersection improvements project (L1000260)(~~(\$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses).~~).

~~(16))~~ (15) \$1,000,000 of the motor vehicle account—state appropriation and \$500,000 of the multimodal transportation account—state appropriation are provided solely for the complete 224th Phase two project (L1000270)(~~(\$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount in this subsection provided from the motor vehicle account—state appropriation lapses).~~).

~~(17))~~ (16) \$60,000 of the multimodal transportation account—state appropriation is provided solely for the installation of an updated meteorological station at the Colville airport (L1000279).

~~(18))~~ (17)(a) \$700,000 of the motor vehicle account—state appropriation is provided solely for the Ballard-Interbay Regional Transportation system plan project (L1000281)(~~(\$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses).~~).

(b) Funding in this subsection is provided solely for the city of Seattle to develop a plan and report for the Ballard-Interbay Regional Transportation System project to improve mobility for people and freight. The plan must be developed in coordination and partnership with entities including but not limited to the city of Seattle, King county, the Port of Seattle, Sound Transit, the Washington state military department for the Seattle armory, and the Washington state department of transportation. The plan must examine replacement of the Ballard bridge and the Magnolia bridge, which was damaged in the 2001 Nisqually earthquake. The city must provide a report on the plan that includes

recommendations to the Seattle city council, King county council, and the transportation committees of the legislature by November 1, 2020. The report must include recommendations on how to maintain the current and future capacities of the Magnolia and Ballard bridges, an overview and analysis of all plans between 2010 and 2020 that examine how to replace the Magnolia bridge, and recommendations on a timeline for constructing new Magnolia and Ballard bridges.

~~((19))~~ (18) \$750,000 of the motor vehicle account—state appropriation is provided solely for the Mickelson Parkway project (L1000282)~~((; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses)).~~

~~((20))~~ (19) \$300,000 of the motor vehicle account—state appropriation is provided solely for the South 314th Street Improvements project (L1000283)~~((; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses)).~~

~~((21))~~ (20) \$250,000 of the motor vehicle account—state appropriation is provided solely for the Ridgefield South I-5 Access Planning project (L1000284)~~((; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses)).~~

~~((22))~~ (21) \$300,000 of the motor vehicle account—state appropriation is provided solely for the Washougal 32nd Street Underpass Design and Permitting project (L1000285)~~((; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses)).~~

~~((23))~~ (22) \$600,000 of the Connecting Washington account—state appropriation, \$150,000 of the motor vehicle account—state appropriation, and ~~(((\$50,000))~~ \$267,000 of the multimodal transportation account—state appropriation are provided solely for the Bingen Walnut Creek and Maple Railroad Crossing (L2000328)~~((; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount in this subsection provided from the motor vehicle account—state appropriation lapses)).~~

~~((24))~~ (23) \$1,500,000 of the motor vehicle account—state appropriation is provided solely for the SR 303 Warren Avenue Bridge Pedestrian Improvements project (L2000339)~~((; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No.~~

~~5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses)).~~

~~((25))~~ (24) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the 72nd/Washington Improvements in Yakima project (L2000341)~~((; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses)).~~

~~((26))~~ (25) \$650,000 of the motor vehicle account—state appropriation is provided solely for the 48th/Washington Improvements in Yakima project (L2000342)~~((; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses)).~~

(26) It is the intent of the legislature that no capital projects be delayed as a result of revenue reductions, but that as a short-term solution appropriation authority for this program is reduced to reflect anticipated underruns in this program, based on historical reappropriation levels.

(27) \$7,000,000 of the motor vehicle account—state appropriation and \$10,000,000 of the multimodal transportation account—state appropriation are provided solely as restitutive expenditure authority for projects as listed by amount in LEAP Transportation Document 2020-2 ALL PROJECTS as developed February 25, 2020, Program – Local Programs Program (Z), and may be spent only if a court of final jurisdiction holds that chapter 1 (Initiative Measure No. 976), Laws of 2020 is unconstitutional in its entirety.

Sec. 311. 2019 c 416 s 313 (uncodified) is amended to read as follows:

QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

On a quarterly basis, the department of transportation shall provide to the office of financial management and the legislative transportation committees the following reports for all capital programs:

(1) For active projects, the report must include:

(a) A TEIS version containing actual capital expenditures for all projects consistent with the structure of the most recently enacted budget;

(b) Anticipated cost savings, cost increases, reappropriations, and schedule adjustments for all projects consistent with the structure of the most recently enacted budget;

(c) The award amount, the engineer's estimate, and the number of bidders for all active projects consistent with the structure of the most recently enacted budget;

(d) Projected costs and schedule for individual projects that are funded at a programmatic level for projects relating to bridge rail, guard rail, fish passage barrier removal, roadside safety projects, and seismic bridges. Projects within this programmatic level funding must be completed on a priority basis and scoped to be completed within the current programmatic budget;

(e) Highway projects that may be reduced in scope and still achieve a functional benefit;

(f) Highway projects that have experienced scope increases and that can be reduced in scope;

(g) Highway projects that have lost significant local or regional contributions that were essential to completing the project; and

(h) Contingency amounts for all projects consistent with the structure of the most recently enacted budget.

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

(2) For completed projects, the report must:

(a) Compare the costs and operationally complete date for projects with budgets of twenty million dollars or more that are funded with preexisting funds to the original project cost estimates and schedule; and

(b) Provide a list of nickel ~~((and))~~, TPA, and connecting Washington projects charging to the nickel/TPA/CWA environmental mitigation reserve (OBI4ENV) and the amount each project is charging.

(3) For prospective projects, the report must:

(a) Identify the estimated advertisement date for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium;

(b) Identify the anticipated operationally complete date for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium; and

(c) Identify the estimated cost of completion for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium.

TRANSFERS AND DISTRIBUTIONS

Sec. 401. 2019 c 416 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

Special Category C Account—State Appropriation	.....((\$376,000))
.....	<u>\$278,000</u>
Multimodal Transportation Account—State Appropriation	..... \$125,000
Transportation Partnership Account—State Appropriation	.....((\$1,636,000))
.....	<u>\$1,412,000</u>
Connecting Washington Account—State Appropriation	.....((\$7,599,000))
.....	<u>\$7,433,000</u>
Highway Bond Retirement Account—State Appropriation	.....((\$1,327,766,000))
.....	<u>\$1,268,249,000</u>
Ferry Bond Retirement Account—State Appropriation	..... \$25,077,000
Transportation Improvement Board Bond Retirement Account—State Appropriation	..... \$12,684,000
Nondebt-Limit Reimbursable Bond Retirement Account—State Appropriation	.....((\$29,594,000))
.....	<u>\$29,584,000</u>
Toll Facility Bond Retirement Account—State Appropriation	.....((\$86,493,000))
.....	<u>\$86,483,000</u>
TOTAL APPROPRIATION	..... \$1,491,340,000
.....	<u>\$1,431,325,000</u>

Sec. 402. 2019 c 416 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

Multimodal Transportation Account—State Appropriation	..... \$25,000
Transportation Partnership Account—State Appropriation	.....((\$327,000))
.....	<u>\$282,000</u>
Connecting Washington Account—State Appropriation	.....((\$1,520,000))
.....	<u>\$1,541,000</u>
Special Category C Account—State Appropriation	.....((\$75,000))
.....	<u>\$56,000</u>
TOTAL APPROPRIATION	..... \$1,947,000
.....	<u>\$1,904,000</u>

Sec. 403. 2019 c 416 s 403 (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	.....((\$518,198,000))
.....	<u>\$508,276,000</u>

Sec. 404. 2019 c 416 s 404 (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	.....((\$2,188,945,000))
.....	<u>\$2,146,790,000</u>

Sec. 405. 2019 c 416 s 405 (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	.....((\$220,426,000))
.....	<u>\$235,788,000</u>

Sec. 406. 2019 c 416 s 406 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

- (1) Highway Safety Account—State Appropriation: For transfer to the Multimodal Transportation Account—State((~~\$10,000,000~~))
..... \$54,000,000
- (2) Transportation Partnership Account—State Appropriation: For transfer to the Motor Vehicle Account—State \$50,000,000
- (3) Motor Vehicle Account—State Appropriation: For transfer to the State Patrol Highway Account—State((~~\$7,000,000~~))
..... \$57,000,000
- (4) Motor Vehicle Account—State Appropriation: For transfer to the Freight Mobility Investment Account—State((~~\$8,511,000~~))
..... \$970,000
- (5) ~~(Motor Vehicle Account—State Appropriation: For transfer to the Rural Arterial Trust Account—State \$4,844,000~~
- ~~(6))~~ Motor Vehicle Account—State Appropriation: For transfer to the Transportation Improvement Account—State((~~\$9,688,000~~))
..... \$1,101,000
- ~~((7) Highway Safety Account—State Appropriation: For transfer to the State Patrol Highway Account—State \$44,000,000~~

~~(8))~~ (6) Motor Vehicle Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State \$52,000,000

(7) Motor Vehicle Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State \$55,000,000

(8) Rural Mobility Grant Program Account—State Appropriation: For transfer to the Multimodal Transportation Account—State \$3,000,000

(9) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the State Route Number 520 Corridor Account—State \$1,434,000

(10) Capital Vessel Replacement Account—State Appropriation: For transfer to the Connecting Washington Account—State ~~(\$50,000,000)~~ \$60,000,000

(11) Multimodal Transportation Account—State Appropriation: For transfer to the Freight Mobility Multimodal Account—State ~~(\$8,511,000)~~ \$1,011,000

~~(12)~~ ~~(Multimodal Transportation Account State Appropriation: For transfer to the Puget Sound Capital Construction Account—State \$15,000,000~~

~~(13)~~ ~~Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State \$45,000,000~~

~~(14))~~ Multimodal Transportation Account—State Appropriation: For transfer to the Regional Mobility Grant Program Account—State ~~(\$27,679,000)~~ \$11,215,000

~~((15))~~ (13) Multimodal Transportation Account—State Appropriation: For transfer to the Rural Mobility Grant Program Account—State \$15,223,000

~~((16))~~ (14) Transportation 2003 Account (Nickel Account)—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State... ~~(\$20,000,000)~~ \$15,000,000

~~((17))~~ (15)(a) Alaskan Way Viaduct Replacement Project Account—State Appropriation: For transfer to the Motor Vehicle Account—State \$9,992,000

(b) The transfer identified in this subsection is provided solely to repay in full the motor vehicle account—state appropriation loan from section 1005(21) (~~of this act~~), chapter 416, Laws of 2019.

~~((18))~~ (16)(a) Transportation Partnership Account—State Appropriation: For transfer to the Alaskan Way Viaduct Replacement Project Account—State ~~(\$77,951,000)~~ \$77,956,000

(b) The amount transferred in this subsection represents that portion of the up to \$200,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.873, intended to be sold through the 2021-2023 fiscal biennium, used only for construction of the SR 99/Alaskan Way Viaduct Replacement project (809936Z), and that must be repaid from the Alaskan Way viaduct replacement project account consistent with RCW 47.56.864.

~~((19))~~ (17) Motor Vehicle Account—State Appropriation: For transfer to the County Arterial Preservation Account—State ~~(\$4,844,000)~~ \$4,829,000

~~((20))~~ (18)(a) General Fund Account—State Appropriation: For transfer to the State Patrol Highway Account—State \$625,000

(b) The state treasurer shall transfer the funds only after receiving notification from the Washington state patrol under section 207(7) (~~of this act~~), chapter 416, Laws of 2019.

~~((21))~~ (19) Capital Vessel Replacement Account—State Appropriation: For transfer to the Transportation Partnership Account—State ~~(\$3,293,000)~~ \$2,312,000

~~((22))~~ (20)(a) Alaskan Way Viaduct Replacement Project Account—State Appropriation: For transfer to the Transportation Partnership Account—State ~~(\$19,262,000)~~ \$15,858,000

(b) The amount transferred in this subsection represents repayment of debt service incurred for the construction of the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

~~((23))~~ (21) Tacoma Narrows Toll Bridge Account—State Appropriation: For transfer to the Motor Vehicle Account—State \$950,000

~~((24))~~ (22)(a) Tacoma Narrows Toll Bridge Account—State Appropriation: For transfer to the Motor Vehicle Account—State \$5,000,000

(b) A transfer in the amount of \$5,000,000 was made from the Motor Vehicle Account to the Tacoma Narrows Toll Bridge Account in April 2019. It is the intent of the legislature that this transfer was to be temporary, for the purpose of minimizing the impact of toll increases, and this is an equivalent reimbursing transfer to occur in November 2019.

~~((25))~~ (23)(a) Transportation 2003 Account (Nickel Account)—State Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account—State \$12,543,000

(b) It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the impact of toll increases, and an equivalent reimbursing transfer is to occur after the debt service and deferred sales tax on the Tacoma Narrows bridge construction costs are fully repaid in accordance with chapter 195, Laws of 2018.

~~((26))~~ (24) Transportation Infrastructure Account—State Appropriation: For transfer to the multimodal Transportation Account—State \$9,000,000

~~((27))~~ (25) Multimodal Transportation Account—State Appropriation: For transfer to the Pilotage Account—State \$2,500,000

~~((28))~~ (26)(a) Motor Vehicle Account—State Appropriation: For transfer to the County Road Administration Board Emergency Loan Account—State \$1,000,000

(b) If chapter 157 (~~Senate Bill No. 5923~~), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((29))~~ (27)(a) Advanced Environmental Mitigation Revolving Account—State Appropriation: For transfer to the Motor Vehicle Account—State \$9,000,000

(b) The amount transferred in this subsection is contingent on at least a \$9,000,000 transfer to the advanced environmental mitigation revolving account authorized by June 30, 2019, in the omnibus capital appropriations act.

~~((30)~~ ~~Motor Vehicle account—State Appropriation: For transfer to the Electric Vehicle Charging Infrastructure Account—State \$12,255,000~~

~~(31)~~ ~~Multimodal Transportation Account—State Appropriation: For transfer to the Electric Vehicle Charging Infrastructure Account—State \$8,000,000~~

~~(32))~~ (28) Multimodal Transportation Account—State Appropriation: For transfer to the Complete Streets Grant Program Account—State ~~(\$14,670,000)~~ \$10,200,000

~~((33))~~ (29)(a) Transportation Partnership Account—State Appropriation: For transfer to the Capital Vessel Replacement Account—State ~~(\$99,000,000)~~

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

.....\$96,030,000
 (b)The amount transferred in this subsection represents proceeds from the sale of bonds authorized in RCW 47.10.873.
(30) Electric Vehicle Account—State Appropriation: For transfer to the Multimodal Transportation Account—State
\$1,000,000
(31) Rural Arterial Trust Account—State Appropriation: For transfer to the Motor Vehicle Account—State..... \$1,389,000
(32) Connecting Washington Account—State Appropriation: For transfer to the Motor Vehicle Account—State... \$95,000,000

Sec. 407. 2019 c 416 s 407 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

Multimodal Transportation Account—State Appropriation: For distribution to cities and counties.....\$26,786,000
 Motor Vehicle Account—State Appropriation: For distribution to cities and counties\$23,438,000
 TOTAL APPROPRIATION.....\$50,224,000

Sec. 408. 2019 c 416 s 408 (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\$199,522,000
 Toll Facility Bond Retirement Account—State Appropriation\$25,372,000
 TOTAL APPROPRIATION.....\$225,273,000
\$224,894,000

COMPENSATION

NEW SECTION. Sec. 501. A new section is added to 2019 c 416 (uncodified) to read as follows:

COLLECTIVE BARGAINING AGREEMENTS

Sections 502 and 503 of this act represent the results of the negotiations for fiscal year 2021 collective bargaining agreement changes, permitted under chapter 47.64 RCW. Provisions of the collective bargaining agreements contained in sections 502 and 503 of this act are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreements. The collective bargaining agreements contained in sections 502 and 503 of this act 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.

NEW SECTION. Sec. 502. A new section is added to 2019 c 416 (uncodified) to read as follows:

DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-UL

An agreement has been reached between the governor and the marine engineers' beneficial association unlicensed engine room employees pursuant to chapter 47.64 RCW for the 2021 fiscal year. Funding is provided to ensure training opportunities are available to all bargaining unit employees.

NEW SECTION. Sec. 503. A new section is added to 2019 c 416 (uncodified) to read as follows:

DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-L

An agreement has been reached between the governor and the marine engineers' beneficial association licensed engineer officers pursuant to chapter 47.64 RCW for the 2021 fiscal year. Funding is provided to ensure training opportunities are available to all bargaining unit employees.

NEW SECTION. Sec. 504. A new section is added to 2019 c 416 (uncodified) to read as follows:

GENERAL STATE EMPLOYEE COMPENSATION ADJUSTMENTS

Except as otherwise provided in sections 501 through 503 of this act, state employee compensation adjustments will be provided in accordance with funding adjustments provided in the 2020 supplemental omnibus appropriations act.

IMPLEMENTING PROVISIONS

Sec. 601. 2019 c 416 s 601 (uncodified) is amended to read as follows:

FUND TRANSFERS

(1) The 2005 transportation partnership projects or improvements and 2015 connecting Washington projects or improvements are listed in the LEAP Transportation Document ((2019-1) 2020-1 as developed ((April 27, 2019)) February 25, 2020, which consists of a list of specific projects by fund source and amount over a sixteen-year period. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a sixteen-year plan. The department of transportation is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account and connecting Washington account projects on the LEAP transportation document referenced in this subsection. For the 2019-2021 project appropriations, unless otherwise provided in this act, the director of the office of financial management may provide written authorization for a transfer of appropriation authority between projects funded with transportation partnership account appropriations or connecting Washington account appropriations 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) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed in the current fiscal biennium;
- (d) Transfers may not occur for projects not identified on the applicable project list;
- (e) Transfers may not be made while the legislature is in session;
- (f) Transfers to a project may not be made with funds designated as attributable to practical design savings as described in RCW 47.01.480;
- (g) Each transfer between projects may only occur if the director of the office 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 2020 supplemental omnibus transportation appropriations act, any unexpended 2017-2019 appropriation balance as approved by the office of financial management, in consultation with the chairs and ranking members of the house of representatives and senate transportation committees, may be considered when transferring funds between projects; and
- (h) Transfers between projects may be made by the department of transportation without the formal written approval provided

under this subsection (1), provided that the transfer amount does not exceed 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 the office of financial management and the chairs of the house of representatives and senate transportation committees.

(2) The department of transportation must submit quarterly all transfers authorized under this section in the transportation executive information system. The office of financial management must maintain a legislative baseline project list identified in the LEAP transportation documents referenced in this act, and update that project list with all authorized transfers under this section.

(3) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the chairs and ranking members of the transportation committees of the legislature.

(4) Before approval, 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 and consider any concerns raised by the chairs and ranking members of the transportation committees.

(5) No fewer than ten days after the receipt of a project transfer request, the director of the office of financial management must provide written notification to the department of any decision regarding project transfers, with copies submitted to the transportation committees of the legislature.

(6) The department must submit annually as part of its budget submittal a report detailing all transfers made pursuant to this section.

Sec. 602. 2019 c 416 s 606 (uncodified) is amended to read as follows:

TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING

(1) By November 15th of each year, 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 ((2019-2)) 2020-2 ALL PROJECTS as developed ((April 27, 2019)) February 25, 2020. 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.

MISCELLANEOUS 2019-2021 FISCAL BIENNIUM

Sec. 701. 2019 c 416 s 701 (uncodified) is amended to read as follows:

INFORMATION TECHNOLOGY OVERSIGHT

(1) Agencies must apply to the office of financial management and the office of the state chief information officer for approval before beginning a project or proceeding with each discreet stage of a project subject to this section. At each stage, the office of the state chief information officer must certify that the project has an approved technology budget and investment plan, complies with state information technology and security requirements, and other policies defined by the office of the state chief information officer. The office of financial management must notify the fiscal committees of the legislature of the receipt of each application and may not approve a funding request for ten business days from the date of notification.

(2)(a) Each project must have a technology budget. The technology budget must use a method similar to the state capital budget, identifying project costs, each fund source, and

anticipated deliverables through each stage of the entire project investment and across fiscal periods and biennia from project onset through implementation and close out.

(b) As part of the development of a technology budget and at each request for funding, the agency shall submit detailed financial information to the office of financial management and the office of the state chief information officer. The technology budget must describe the total cost of the project by fiscal month to include and identify:

(i) Fund sources;

(ii) Full-time equivalent staffing level to include job classification assumptions;

(iii) A discreet appropriation index and program index;

(iv) Object and subobject codes of expenditures; and

(v) Anticipated deliverables.

(c) If a project technology budget changes and a revised technology budget is completed, a comparison of the revised technology budget to the last approved technology budget must be posted to the dashboard, to include a narrative rationale on what changed, why, and how that impacts the project in scope, budget, and schedule.

(3)(a) Each project must have an investment plan that includes:

(i) An organizational chart of the project management team that identifies team members and their roles and responsibilities;

(ii) The office of the state chief information officer staff assigned to the project;

(iii) An implementation schedule covering activities, critical milestones, and deliverables at each stage of the project for the life of the project at each agency affected by the project;

(iv) Performance measures used to determine that the project is on time, within budget, and meeting expectations for quality of work product;

(v) Ongoing maintenance and operations cost of the project post implementation and close out delineated by agency staffing, contracted staffing, and service level agreements; and

(vi) Financial budget coding to include at least discrete program index and subobject codes.

(4) Projects with estimated costs greater than one hundred million dollars from initiation to completion and implementation may be divided into discrete subprojects as determined by the office of the state chief information officer. Each subproject must have a technology budget and investment plan as provided in this section.

(5)(a) The office of the state chief information officer shall maintain an information technology project dashboard that provides updated information each fiscal month on projects subject to this section. This includes, at least:

(i) Project changes each fiscal month;

(ii) Noting if the project has a completed market requirements document;

(iii) Financial status of information technology projects under oversight; ~~(and)~~

(iv) Coordination with agencies;

(v) Monthly quality assurance reports, if applicable;

(vi) Monthly office of the state chief information officer status reports;

(vii) Historical project budget and expenditures through fiscal year 2019;

(viii) Budget and expenditures each fiscal month; and

(ix) Estimated annual maintenance and operations costs by fiscal year.

(b) The dashboard must retain a roll up of the entire project cost, including all subprojects, that can be displayed the subproject detail.

(6) If the project affects more than one agency:

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

(a) A separate technology budget and investment plan must be prepared for each agency; and

(b) The dashboard must contain a statewide project technology budget roll up that includes each affected agency at the subproject level.

(7) For any project that exceeds two million dollars in total funds to complete, requires more than one biennium to complete, or is financed through financial contracts, bonds, or other indebtedness:

(a) Quality assurance for the project must report independently the office of the chief information officer;

(b) The office of the chief information officer must review, and, if necessary, revise the proposed project to ensure it is flexible and adaptable to advances in technology;

(c) The technology budget must specifically identify the uses of any financing proceeds. No more than thirty percent of the financing proceeds may be used for payroll-related costs for state employees assigned to project management, installation, testing, or training;

(d) The agency must consult with the office of the state treasurer during the competitive procurement process to evaluate early in the process whether products and services to be solicited and the responsive bids from a solicitation may be financed; and

(e) The agency must consult with the contracting division of the department of enterprise services for a review of all contracts and agreements related to the project's information technology procurements.

(8) The office of the state chief information officer must evaluate the project at each stage and certify whether the project is planned, managed, and meeting deliverable targets as defined in the project's approved technology budget and investment plan.

(9) The office of the state chief information officer may suspend or terminate a project at any time if it determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall unallot any unused funding and shall not make any expenditure for the project without the approval of the office of financial management. The office of the state chief information officer must report on July 1st and December 1st each calendar year, beginning July 1, 2020, any suspension or termination of a project in the previous six month period to legislative fiscal committees.

(10) The office of the state chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section, including projects that are not separately identified within an agency budget. The office of the state chief information officer must report on July 1st and December 1st each calendar year, beginning July 1, 2020, any additional projects to be subjected to this section that were identified in the previous six month period to legislative fiscal committees.

(11) The following department of transportation projects are subject to the conditions, limitations, and review provided in this section: Labor System Replacement, New Ferry Division Dispatch System, Maintenance Management System, Land Mobile Radio System Replacement, and New CSC System and Operator.

Sec. 702. RCW 36.79.020 and 1997 c 81 s 2 are each amended to read as follows:

There is created in the motor vehicle fund the rural arterial trust account. All moneys deposited in the motor vehicle fund to be credited to the rural arterial trust account shall be expended for (1) the construction and improvement of county rural arterials and collectors, (2) the construction of replacement bridges funded by the federal bridge replacement program on access roads in rural

areas, and (3) those expenses of the board associated with the administration of the rural arterial program. However, during the 2019-2021 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the rural arterial trust account to the motor vehicle fund.

Sec. 703. RCW 82.32.385 and 2015 3rd sp.s. c 44 s 420 are each amended to read as follows:

(1) Beginning September 2019 and ending ~~((June 2021))~~ December 2019, by the last day of September~~((7))~~ and December~~((7, March, and June of each year))~~, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 thirteen million six hundred eighty thousand dollars.

(2) Beginning March 2020 and ending June 2021, by the last day of September, December, March, and June of each year, the state treasurer must transfer from the general fund to the multimodal transportation account created in RCW 47.66.070 thirteen million six hundred eighty thousand dollars.

(3) Beginning September 2021 and ending June 2023, by the last day of September, December, March, and June of each year, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 thirteen million eight hundred five thousand dollars.

~~((3))~~ (4) Beginning September 2023 and ending June 2025, by the last day of September, December, March, and June of each year, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 thirteen million nine hundred eighty-seven thousand dollars.

~~((4))~~ (5) Beginning September 2025 and ending June 2027, by the last day of September, December, March, and June of each year, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 eleven million six hundred fifty-eight thousand dollars.

~~((5))~~ (6) Beginning September 2027 and ending June 2029, by the last day of September, December, March, and June of each year, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 seven million five hundred sixty-four thousand dollars.

~~((6))~~ (7) Beginning September 2029 and ending June 2031, by the last day of September, December, March, and June of each year, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 four million fifty-six thousand dollars.

Sec. 704. RCW 47.66.110 and 2015 3rd sp.s. c 11 s 4 are each amended to read as follows:

(1) The transit coordination grant program is created in the department. The purpose of the transit coordination grant program is to encourage joint planning and coordination on the part of central Puget Sound transit systems in order to improve the user experience, increase ridership, and make the most effective use of tax dollars. The department shall oversee, manage, score, select, and evaluate transit coordination grant program project applications, and shall select transit coordination grant recipients annually. A transit agency located in a county or counties with a population of seven hundred thousand or more that border Puget Sound is eligible to apply to the department for transit coordination grants.

(2) Projects eligible for transit coordination grants include, but are not limited to, projects that:

- (a) Integrate marketing efforts;
- (b) Align fare structures;
- (c) Integrate service planning;
- (d) Coordinate long-range planning, including capital projects planning and implementation;

(e) Integrate other administrative functions and internal business processes as appropriate; and

(f) Integrate certain customer-focused tools and initiatives.

(3) Transit coordination grants must, at a minimum, be proposed jointly by two or more eligible transit agencies and must include a description of the:

(a) Issue or problem to be addressed;

(b) Specific solution and measurable outcomes;

(c) Benefits such as cost savings, travel time improvements, improved coordination, and improved customer experience; and

(d) Performance measurements and an evaluation plan that includes the identification of milestones towards successful completion of the project.

(4) Transit coordination grant applications must include measurable outcomes for the project including, but not limited to, the following:

(a) Impacts on service, such as increased service, improved service delivery, and improved transfers and coordination across transit service;

(b) Impacts on customer service, such as: Improved reliability; improved outreach and coordination with customers, employers, and communities; improvements in customer service functions, such as customer response time and web-based and other communications; and

(c) Impacts on administration, such as improved marketing and outreach efforts, integrated customer-focused tools, and improved cross-agency communications.

(5) Transit coordination grant applications must also include:

(a) Project budget and cost details; and

(b) A commitment and description of local matching funding of at least ten percent of the project cost.

(6) Upon completion of the project, transit coordination grant recipients must provide a report to the department that includes an overview of the project, how the grant funds were spent, and the extent to which the identified project outcomes were met. In addition, such reports must include a description of best practices that could be transferred to other transit agencies faced with similar issues to those addressed by the transit coordination grant recipient. The department must report annually to the transportation committees of the legislature on the transit coordination grants that were awarded, and the report must include data to determine if completed transit coordination grant projects produced the anticipated outcomes included in the grant applications.

(7) This section expires July 1, (~~2020~~) 2021.

Sec. 705. RCW 82.44.200 and 2019 c 287 s 15 are each amended to read as follows:

The electric vehicle account is created in the transportation infrastructure account. Proceeds from the principal and interest payments made on loans from the account must be deposited into the account. Expenditures from the account may be used only for the purposes specified in RCW 47.04.350, 82.08.9999, and 82.12.9999, and the support of other transportation electrification and alternative fuel related purposes. Moneys in the account may be spent only after appropriation. During the 2019-2021 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the electric vehicle account to the multimodal transportation account.

Sec. 706. RCW 82.44.135 and 2006 c 318 s 9 are each amended to read as follows:

(1) Before a local government subject to this chapter may impose a motor vehicle excise tax, the local government must contract with the department for the collection of the tax. The department may charge a reasonable amount, not to exceed one percent of tax collections, or two and one-half percent during the

2019-2021 biennium, for the administration and collection of the tax.

(2) For fiscal year 2021, the department shall charge a minimum of seven million eight hundred two thousand dollars, which is the reasonable amount aimed at achieving full cost recovery for the administration and collection of a motor vehicle excise tax. The amount of the full reimbursement for the administration and collection of the motor vehicle excise tax must be deducted before distributing any revenues to a regional transit authority. Any reimbursement to ensure full cost recovery beyond the amount specified in this subsection may be negotiated between the department and the regional transit authority if full cost recovery has not been achieved, or if based on emergent issues.

Sec. 707. RCW 46.68.395 and 2015 3rd sp.s. c 44 s 106 are each amended to read as follows:

(1) The connecting Washington account is created in the motor vehicle fund. Moneys in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as connecting Washington projects or improvements in a transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

(2) Moneys in the connecting Washington account may not be expended on the state route number 99 Alaskan Way viaduct replacement project.

(3) During the 2019-2021 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the connecting Washington account to the motor vehicle fund.

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 36.79.020, 82.32.385, 47.66.110, 82.44.200, 82.44.135, and 46.68.395; amending 2019 c 416 ss 103, 105, 108, 109, 201-223, 301, 303-311, 313, 401-408, 601, 606, and 701 (uncodified); adding new sections to 2019 c 416 (uncodified); making appropriations and authorizing expenditures for capital improvements; and declaring an emergency."

MOTION

Senator Ericksen moved that the following floor amendment no. 1220 by Senator Ericksen be adopted:

On page 37, line 12, strike "\$486,417,000" and insert "\$486,917,000"

On page 37, line 26, strike "\$513,476,000" and insert "\$513,976,000"

On page 39, after line 32, insert the following:

"(10) \$500,000 of the motor vehicle account—state appropriation is provided solely for the department to execute a hazardous tree and vegetation removal pilot project on state route number 542 between Kendall and Artist Point. The department shall work with the relevant electric utility districts to create standard operating procedures and coordination protocols that could be used statewide to prevent trees from falling on power lines or highways."

Senator Ericksen spoke in favor of adoption of the amendment to the striking amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Ericksen and without objection, floor amendment no. 1220 by Senator Ericksen on page 31, line 12 to Engrossed Substitute House Bill No. 2322 was withdrawn.

MOTION

Senator Lovelett moved that the following floor amendment no. 1221 by Senator Lovelett be adopted:

On page 85, line 7, after "section.", insert: "The commencement of construction of new vessels for the ferry system is important not only for safety reasons, but also to keep skilled marine construction jobs in the Puget Sound region and to sustain the capacity of the region to meet the ongoing construction and preservation needs of the ferry system fleet of vessels. The legislature has determined that the current vessel procurement process must move forward with all due speed, balancing the interests of both the taxpayers and shipyards. To accomplish construction of vessels in accordance with RCW 47.60.810, the prevailing shipbuilder, for vessels initially funded after July 1, 2020, is encouraged to follow the historical practice of subcontracting the construction of ferry superstructures to a separate nonaffiliated contractor located within the Puget Sound region, that is qualified in accordance with RCW 47.60.690. When subcontracting, the prevailing shipbuilder shall negotiate a fair value contract with the superstructure subcontractor or subcontractors. The negotiation of the scope of work for the superstructure subcontract shall include, at a minimum, the scope of work of superstructure construction historically performed by subcontractors on ferry superstructures. All negotiations must be completed within forty-five days of the department's approval of the final technical proposal. The prevailing shipbuilder must submit to the department evidence of good faith efforts, as judged by the department, to meet the superstructure subcontracting requirement set forth herein before proceeding with construction of the vessel."

Senators Lovelett, Muzzall and Hobbs 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 floor amendment no. 1221 by Senator Lovelett on page 85, line 7 to Engrossed Substitute House Bill No. 2322.

The motion by Senator Lovelett carried and floor amendment no. 1221 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1215 by Senator Hobbs as amended to Engrossed Substitute House Bill No. 2322.

The motion by Senator Hobbs carried and striking floor amendment no. 1215 as amended was adopted by voice vote.

MOTION

On motion of Senator Hobbs, the rules were suspended, Engrossed Substitute House Bill No. 2322, 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 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 Engrossed Substitute House Bill No. 2322 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2322, 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 Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2322, 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 11:16 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

AFTERNOON SESSION

The Senate was called to order at 1:23 p.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate reverted to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hobbs moved that John C. Scragg, Senate gubernatorial Appointment No. 9136, be confirmed as a member of the Board of Pilotage Commissioners.

Senator Hobbs spoke in favor of the motion.

APPOINTMENT OF JOHN C. SCRAGG

The President declared the question before the Senate to be the confirmation of John C. Scragg, Senate gubernatorial Appointment No. 9136, as a member of the Board of Pilotage Commissioners.

The Secretary called the roll on the confirmation of John C. Scragg, Senate gubernatorial Appointment No. 9136, as a member of the Board of Pilotage Commissioners and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet,

Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

John C. Scragg, Senate Gubernatorial Appointment No. 9136, having received the constitutional majority was declared confirmed as a member of the Board of Pilotage Commissioners.

MOTION

On motion of Senator Liias, and without objection, Engrossed House Bill No. 2008, concerning alternate methods of ballot security, was removed from the Consent Calendar and placed on the 2nd Reading Calendar.

MOTION

On motion of Senator Liias, the Senate reverted to the fourth order of business.

MESSAGES FROM THE HOUSE

March 3, 2020

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED HOUSE BILL NO. 1687,
HOUSE BILL NO. 1750,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 3, 2020

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 5097,

and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

February 28, 2020

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 6168 with the following amendment(s): 6168-S.E AMH ENGR H5169.E

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

Senator Liias moved that the Senate refuse to concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6168 and request of the House a conference thereon.

The President declared the question before the Senate to be motion by Senator Liias that the Senate refuse to concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6168 and request a conference thereon.

The motion by Senator Liias carried and the Senate refused to concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6168 and requested of the House a conference thereon by voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Engrossed Substitute Senate Bill No. 6168 and the House amendment(s) thereto: Senators Braun, Frockt and Rolfes.

MOTION

On motion of Senator Liias, the appointments to the conference committee were confirmed.

MOTION

On motion of Senator Liias, the Senate advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2512, by Representatives Orwall, Stokesbary, Pollet, Ryu, Valdez, Volz, Leavitt, Gildon, Graham, Doglio and Dufault

Concerning interest and penalty relief for qualified mobile home and manufactured home owners.

The measure was read the second time.

MOTION

On motion of Senator Kuderer, the rules were suspended, House Bill No. 2512 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and Zeiger spoke in favor of passage of the bill.

REMARKS BY THE PRESIDENT

President Habib: "Just a reminder as we do bills from the opposite house, that under your rules, the senators are not to make reference to actions of the opposite chamber and it is permitted on concurrence motions when we discuss amendments that have changed but I just wanted to remind members as we enter this next stage of floor action that those are your rules, not mine."

The President declared the question before the Senate to be the final passage of House Bill No. 2512.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2512 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senator Becker

HOUSE BILL NO. 2512, having received the 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

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

On motion of Senator Rivers, Senator Becker was excused.

SECOND READING

HOUSE BILL NO. 2109, by Representative Blake

Concerning membership of the Chehalis board.

The measure was read the second time.

MOTION

On motion of Senator Van De Wege, the rules were suspended, House Bill No. 2109 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege and Warnick 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. 2109.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2109 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Becker

HOUSE BILL NO. 2109, having received the 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:

ENGROSSED HOUSE BILL NO. 1687
and HOUSE BILL NO. 1750.

SECOND READING

HOUSE BILL NO. 1165, by Representatives Orwall, Dent, Blake, Fitzgibbon and Doglio

Encouraging low-water landscaping practices as a drought alleviation tool.

The measure was read the second time.

MOTION

On motion of Senator Van De Wege, the rules were suspended, House Bill No. 1165 was advanced to third reading, the second

reading considered the third and the bill was placed on final passage.

Senators Van De Wege, Warnick and Fortunato 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. 1165.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1165 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Ericksen and Wagoner

Excused: Senator Becker

HOUSE BILL NO. 1165, having received the 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 HOUSE BILL NO. 1056, by Representatives Mosbrucker, Orwall, Sells, Appleton, Jinkins, Macri, Wylie, Bergquist, Doglio, Stanford and Reeves

Creating a task force to identify the role of the workplace in helping curb domestic violence.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Second Engrossed House Bill No. 1056 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed House Bill No. 1056.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed House Bill No. 1056 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SECOND ENGROSSED HOUSE BILL NO. 1056, having received the 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. 2535, by House Committee on Civil Rights & Judiciary (originally sponsored by Kirby, Pollet, Ormsby and Santos)

Providing for a grace period before late fees may be imposed for past due rent.

The measure was read the second time.

MOTION

Senator Mullet moved that the following committee striking amendment by the Committee on Financial Institutions, Economic Development & Trade be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 59.18.170 and 1973 1st ex.s. c 207 s 17 are each amended to read as follows:

(1) If at any time during the tenancy the tenant fails to carry out the duties required by RCW 59.18.130 or 59.18.140, the landlord may, in addition to pursuit of remedies otherwise provided by law, give written notice to the tenant of said failure, which notice shall specify the nature of the failure.

(2) The landlord may not charge a late fee for rent that is paid within five days following its due date. If rent is more than five days past due, the landlord may charge late fees commencing from the first day after the due date until paid. Nothing in this subsection prohibits a landlord from serving a notice to pay or vacate at any time after the rent becomes due.

(3) When late fees may be assessed after rent becomes due, the tenant may propose that the date rent is due in the rental agreement be altered to a different due date of the month. The landlord shall agree to such a proposal if it is submitted in writing and the tenant can demonstrate that his or her primary source of income is a regular, monthly source of governmental assistance that is not received until after the date rent is due in the rental agreement. The proposed rent due date may not be more than five days after the date the rent is due in the rental agreement. Nothing in this subsection shall be construed to prevent a tenant from making a request for reasonable accommodation under federal, state, or local law.

Sec. 2. RCW 59.18.230 and 2011 c 132 s 11 are each amended to read as follows:

(1) Any provision of a lease or other agreement, whether oral or written, whereby any section or subsection of this chapter is waived except as provided in RCW 59.18.360 and shall be deemed against public policy and shall be unenforceable. Such unenforceability shall not affect other provisions of the agreement which can be given effect without them.

(2) No rental agreement may provide that the tenant:

(a) Agrees to waive or to forgo rights or remedies under this chapter; or

(b) Authorizes any person to confess judgment on a claim arising out of the rental agreement; or

(c) Agrees to pay the landlord's attorneys' fees, except as authorized in this chapter; or

(d) Agrees to the exculpation or limitation of any liability of the landlord arising under law or to indemnify the landlord for that liability or the costs connected therewith; or

(e) And landlord have agreed to a particular arbitrator at the time the rental agreement is entered into; or

(f) Agrees to pay late fees for rent that is paid within five days following its due date. If rent is more than five days past due, the landlord may charge late fees commencing from the first day after the due date until paid. Nothing in this subsection prohibits a landlord from serving a notice to pay or vacate at any time after the rent becomes due.

(3) A provision prohibited by subsection (2) of this section included in a rental agreement is unenforceable. If a landlord deliberately uses a rental agreement containing provisions known by him or her to be prohibited, the tenant may recover actual damages sustained by him or her, statutory damages not to exceed five hundred dollars, costs of suit, and reasonable attorneys' fees.

(4) The common law right of the landlord of distress for rent is hereby abolished for property covered by this chapter. Any provision in a rental agreement creating a lien upon the personal property of the tenant or authorizing a distress for rent is null and void and of no force and effect. Any landlord who takes or detains the personal property of a tenant without the specific written consent of the tenant to such incident of taking or detention, and who, after written demand by the tenant for the return of his or her personal property, refuses to return the same promptly shall be liable to the tenant for the value of the property retained, actual damages, and if the refusal is intentional, may also be liable for damages of up to five hundred dollars per day but not to exceed five thousand dollars, for each day or part of a day that the tenant is deprived of his or her property. The prevailing party may recover his or her costs of suit and a reasonable attorneys' fee.

In any action, including actions pursuant to chapters 7.64 or 12.28 RCW, brought by a tenant or other person to recover possession of his or her personal property taken or detained by a landlord in violation of this section, the court, upon motion and after notice to the opposing parties, may waive or reduce any bond requirements where it appears to be to the satisfaction of the court that the moving party is proceeding in good faith and has, prima facie, a meritorious claim for immediate delivery or redelivery of said property."

On page 1, line 2 of the title, after "rent;" strike the remainder of the title and insert "and amending RCW 59.18.170 and 59.18.230."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Financial Institutions, Economic Development & Trade to Engrossed Substitute House Bill No. 2535.

The motion by Senator Mullet carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Mullet, the rules were suspended, Engrossed Substitute House Bill No. 2535 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 Mullet and Wilson, L. 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. 2535 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2535 as amended by the Senate and the

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Wagoner

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2535 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. 2873, by House Committee on Human Services & Early Learning (originally sponsored by J. Johnson, Frame, Ramel, Callan, Hudgins, Ryu, Davis, Orwall and Pollet)

Concerning families in conflict.

The measure was read the second time.

MOTION

On motion of Senator Darneille, the rules were suspended, Substitute House Bill No. 2873 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille and Walsh 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. 2873.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2873 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SUBSTITUTE HOUSE BILL NO. 2873, having received the 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. 2251, by Representatives Thai and Cody

Concerning the expiration date for notification of dispensing an interchangeable biological product.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, House Bill No. 2251 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland 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 House Bill No. 2251.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2251 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

HOUSE BILL NO. 2251, having received the 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. 2883, by House Committee on Human Services & Early Learning (originally sponsored by Eslick, Frame and Davis)

Expanding adolescent behavioral health care access.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Substitute House Bill No. 2883 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Wagoner 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. 2883.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2883 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers,

Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SUBSTITUTE 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. 2416, by Representatives Kilduff, Chopp, Leavitt, Macri, Cody, Stonier, Ormsby and Pollet

Concerning disclosures of information and records related to forensic mental health services.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 2416 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Wagoner 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. 2416.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2416 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

HOUSE BILL NO. 2416, having received the 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. 2677, by Representatives Chopp, Cody, Tharinger, Leavitt and Davis

Sharing health insurance information to improve the coordination of benefits between health insurers and the health care authority.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, House Bill No. 2677 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 House Bill No. 2677.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2677 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

HOUSE BILL NO. 2677, having received the 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. 2378, by House Committee on Health Care & Wellness (originally sponsored by Riccelli, Harris, Macri and Cody)

Concerning physician assistants.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Substitute House Bill No. 2378 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 House Bill No. 2378.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2378 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SUBSTITUTE HOUSE BILL NO. 2378, having received the 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. 1187, by Representatives Dent, Blake, Chandler, Kretz, Schmick and Bergquist

Revising hydraulic project eligibility standards under RCW 77.55.181 for conservation district-sponsored fish habitat enhancement projects.

The measure was read the second time.

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed House Bill No. 1187 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick and Van De Wege 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. 1187.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1187 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

ENGROSSED HOUSE BILL NO. 1187, having received the 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. 1520, by House Committee on State Government & Tribal Relations (originally sponsored by Morgan, Hudgins, Rude, Mead, Stonier, Frame, Riccelli, Appleton, Pellicciotti, Kilduff, Doglio and Reeves)

Concerning calendar election dates on ballot envelopes.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed Substitute House Bill No. 1520 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Zeiger 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. 1520.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1520 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1520, having received the 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. 1504, by House Committee on Transportation (originally sponsored by Klippert and Goodman)

Concerning impaired driving.

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:

"Sec. 1. RCW 9.94A.533 and 2018 c 7 s 8 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 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(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 or bump-fire stock, 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 or bump-fire stock 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(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 or bump-fire stock, 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 or bump-fire stock 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 are mandatory, shall

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

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(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 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, including other minor child enhancements, for all offenses sentenced under this chapter. 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~~) shall be mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions.

(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. 2. RCW 9.94A.729 and 2015 c 134 s 4 are each amended to read as follows:

(1)(a) The term of the sentence of an offender committed to a correctional facility operated by the department may be reduced by earned release time in accordance with procedures that shall be developed and adopted by the correctional agency having jurisdiction in which the offender is confined. The earned release time shall be for good behavior and good performance, as determined by the correctional agency having jurisdiction. The correctional agency shall not credit the offender with earned release credits in advance of the offender actually earning the credits.

(b) Any program established pursuant to this section shall allow an offender to earn early release credits for presentence incarceration. If an offender is transferred from a county jail to the department, the administrator of a county jail facility shall certify to the department the amount of time spent in custody at the facility and the number of days of early release credits lost or not earned. The department may approve a jail certification from a correctional agency that calculates early release time based on the actual amount of confinement time served by the offender before sentencing when an erroneous calculation of confinement time served by the offender before sentencing appears on the judgment and sentence. The department must adjust an offender's rate of early release listed on the jail certification to be consistent with the rate applicable to offenders in the department's facilities. However, the department is not authorized to adjust the number of presentence early release days that the jail has certified as lost or not earned.

(2)(a) An offender who has been convicted of a felony committed after July 23, 1995, that involves any applicable deadly weapon enhancements under RCW 9.94A.533 (3) or (4), or both, shall not receive any good time credits or earned release time for that portion of his or her sentence that results from any deadly weapon enhancements.

(b) An offender whose sentence includes any impaired driving enhancements under RCW 9.94A.533(7), minor child enhancements under RCW 9.94A.533(13), or both, shall not receive any good time credits or earned release time for any portion of his or her sentence that results from those enhancements.

(3) An offender may earn early release time as follows:

(a) In the case of an offender sentenced pursuant to RCW 10.95.030(3) or 10.95.035, the offender may not receive any earned early release time during the minimum term of confinement imposed by the court; for any remaining portion of the sentence served by the offender, the aggregate earned release time may not exceed ten percent of the sentence.

(b) In the case of an offender convicted of a serious violent offense, or a sex offense that is a class A felony, committed on or after July 1, 1990, and before July 1, 2003, the aggregate earned release time may not exceed fifteen percent of the sentence.

(c) In the case of an offender convicted of a serious violent offense, or a sex offense that is a class A felony, committed on or after July 1, 2003, the aggregate earned release time may not exceed ten percent of the sentence.

(d) An offender is qualified to earn up to fifty percent of aggregate earned release time if he or she:

(i) Is not classified as an offender who is at a high risk to reoffend as provided in subsection (4) of this section;

(ii) Is not confined pursuant to a sentence for:

(A) A sex offense;

(B) A violent offense;

(C) A crime against persons as defined in RCW 9.94A.411;

(D) A felony that is domestic violence as defined in RCW 10.99.020;

(E) A violation of RCW 9A.52.025 (residential burglary);

(F) A violation of, or an attempt, solicitation, or conspiracy to violate, RCW 69.50.401 by manufacture or delivery or possession with intent to deliver methamphetamine; or

(G) A violation of, or an attempt, solicitation, or conspiracy to violate, RCW 69.50.406 (delivery of a controlled substance to a minor);

(iii) Has no prior conviction for the offenses listed in (d)(ii) of this subsection;

(iv) Participates in programming or activities as directed by the offender's individual reentry plan as provided under RCW 72.09.270 to the extent that such programming or activities are made available by the department; and

(v) Has not committed a new felony after July 22, 2007, while under community custody.

(e) In no other case shall the aggregate earned release time exceed one-third of the total sentence.

(4) The department shall perform a risk assessment of each offender who may qualify for earned early release under subsection (3)(d) of this section utilizing the risk assessment tool recommended by the Washington state institute for public policy. Subsection (3)(d) of this section does not apply to offenders convicted after July 1, 2010.

(5)(a) A person who is eligible for earned early release as provided in this section and who will be supervised by the department pursuant to RCW 9.94A.501 or 9.94A.5011, shall be transferred to community custody in lieu of earned release time;

(b) The department shall, as a part of its program for release to the community in lieu of earned release, require the offender to propose a release plan that includes an approved residence and living arrangement. All offenders with community custody terms eligible for release to community custody in lieu of earned release shall provide an approved residence and living arrangement prior to release to the community;

(c) The department may deny transfer to community custody in lieu of earned release time if the department determines an offender's release plan, including proposed residence location and living arrangements, may violate the conditions of the sentence or conditions of supervision, place the offender at risk to violate the conditions of the sentence, place the offender at risk to reoffend, or present a risk to victim safety or community safety. The department's authority under this section is independent of any court-ordered condition of sentence or statutory provision regarding conditions for community custody;

(d) If the department is unable to approve the offender's release plan, the department may do one or more of the following:

(i) Transfer an offender to partial confinement in lieu of earned early release for a period not to exceed three months. The three months in partial confinement is in addition to that portion of the offender's term of confinement that may be served in partial confinement as provided in RCW 9.94A.728(~~(5)~~) (1)(c);

(ii) Provide rental vouchers to the offender for a period not to exceed three months if rental assistance will result in an approved release plan.

A voucher must be provided in conjunction with additional transition support programming or services that enable an offender to participate in services including, but not limited to, substance abuse treatment, mental health treatment, sex offender treatment, educational programming, or employment programming;

(e) The department shall maintain a list of housing providers that meets the requirements of RCW 72.09.285. If more than two voucher recipients will be residing per dwelling unit, as defined in RCW 59.18.030, rental vouchers for those recipients may only be paid to a housing provider on the department's list;

(f) For each offender who is the recipient of a rental voucher, the department shall gather data as recommended by the Washington state institute for public policy in order to best demonstrate whether rental vouchers are effective in reducing recidivism.

(6) An offender serving a term of confinement imposed under RCW 9.94A.670(5)(a) is not eligible for earned release credits under this section.

Sec. 3. RCW 10.21.055 and 2016 c 203 s 16 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 ~~((+))~~ ~~As))~~ as a condition of release ~~((pursuant to (a) of this subsection;))~~ or ~~((+))~~ ~~after conviction~~ 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 this 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. 4. RCW 38.52.430 and 2012 c 183 s 6 are each amended to read as follows:

A person whose intoxication causes an incident resulting in an appropriate emergency response, and who, in connection with the incident, has been found guilty of or has had their prosecution deferred for (1) driving while under the influence of intoxicating liquor or any drug, RCW 46.61.502; (2) physical control of a motor vehicle while under the influence of intoxicating liquor or any drug, RCW 46.61.504; (3) operating an aircraft under the influence of intoxicants or drugs, RCW 47.68.220; ~~((3))~~ (4) use of a vessel while under the influence of alcohol or drugs, RCW 79A.60.040; ~~((4))~~ (5) vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a); or ~~((5))~~ (6) vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b), is liable for the expense of an emergency response by a public agency to the incident.

The expense of an emergency response is a charge against the person liable for expenses under this section. The charge constitutes a debt of that person and is collectible by the public agency incurring those costs in the same manner as in the case of an obligation under a contract, expressed or implied. Following a conviction of an offense listed in this section, and prior to sentencing, the prosecution may present to the court information setting forth the expenses incurred by the public agency for its emergency response to the incident. Upon a finding by the court that the expenses are reasonable, the court shall order the defendant to reimburse the public agency. The cost reimbursement shall be included in the sentencing order as an additional monetary obligation of the defendant and may not be substituted for any other fine or cost required or allowed by statute. The court may establish a payment schedule for the payment of the cost reimbursement, separate from any payment schedule imposed for other fines and costs. All payments for the cost reimbursement must be remitted directly to the public agency or agencies that incurred the cost associated with the emergency response.

In no event shall a person's liability under this section for the expense of an emergency response exceed two thousand five hundred dollars for a particular incident.

If more than one public agency makes a claim for payment from an individual for an emergency response to a single incident under the provisions of this section, and the sum of the claims exceeds the amount recovered, the division of the amount recovered shall be determined by an interlocal agreement consistent with the requirements of chapter 39.34 RCW.

Sec. 5. RCW 46.20.245 and 2005 c 288 s 1 are each amended to read as follows:

(1) Whenever the department proposes to withhold the driving privilege of a person or disqualify a person from operating a commercial motor vehicle and this action is made mandatory by the provisions of this chapter or other law, the department must give notice to the person in writing by posting in the United States mail, appropriately addressed, postage prepaid, or by personal service. Notice by mail is given upon deposit in the United States mail. Notice given under this subsection must specify the date

upon which the driving privilege is to be withheld which shall not be less than forty-five days after the original notice is given.

(2) For persons subject to suspension, revocation, or denial of a driver's license who are eligible for full credit under RCW 46.61.5055(9)(b)(ii), the notice in subsection (1) of this section must also notify the person of the obligation to complete the requirements under RCW 46.20.311 and pay the probationary license fee under RCW 46.20.355 by the date specified in the notice in order to avoid license suspension.

(3) Within fifteen days after notice has been given to a person under subsection (1) of this section, the person may request in writing an administrative review before the department. If the request is mailed, it must be postmarked within fifteen days after the date the department has given notice. If a person fails to request an administrative review within fifteen days after the date the department gives notice, the person is considered to have defaulted and loses his or her right to an administrative review unless the department finds good cause for a request after the fifteen-day period.

(a) An administrative review under this subsection shall consist solely of an internal review of documents and records submitted or available to the department, unless the person requests an interview before the department, in which case all or any part of the administrative review may, at the discretion of the department, be conducted by telephone or other electronic means.

(b) The only issues to be addressed in the administrative review are:

(i) Whether the records relied on by the department identify the correct person; and

(ii) Whether the information transmitted from the court or other reporting agency or entity regarding the person accurately describes the action taken by the court or other reporting agency or entity.

(c) For the purposes of this section, the notice received from a court or other reporting agency or entity, regardless of form or format, is prima facie evidence that the information from the court or other reporting agency or entity regarding the person is accurate. A person requesting administrative review has the burden of showing by a preponderance of the evidence that the person is not subject to the withholding of the driving privilege.

(d) The action subject to the notification requirements of subsection (1) of this section shall be stayed during the administrative review process.

(e) Judicial review of a department order affirming the action subject to the notification requirements of subsection (1) of this section after an administrative review shall be available in the same manner as provided in RCW 46.20.308~~((9))~~ (8). The department shall certify its record to the court within thirty days after service upon the department of the petition for judicial review. The action subject to the notification requirements of subsection (1) of this section shall not automatically be stayed during the judicial review. If judicial relief is sought for a stay or other temporary remedy from the department's action, the court shall not grant 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.

~~((3))~~ (4) The department may adopt rules that are considered necessary or convenient by the department for purposes of administering this section, including, but not limited to, rules regarding expedited procedures for issuing orders and expedited notice procedures.

~~((4))~~ (5) This section does not apply where an opportunity for an informal settlement, driver improvement interview, or formal hearing is otherwise provided by law or rule of the department.

Sec. 6. RCW 46.20.3101 and 2016 c 203 s 18 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))~~ imposed under this section for any portion of a suspension, revocation, or denial ~~((imposed))~~ already served under RCW 46.61.5055 arising out of the same incident. If a person has already served a suspension, revocation, or denial under RCW 46.61.5055 for a period equal to or greater than the period imposed under this section, the department shall provide notice of full credit, shall provide for no further suspension or revocation under this section, and shall impose no additional reissue fees for this credit.

Sec. 7. RCW 46.20.311 and 2016 c 203 s 12 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))~~ substance use disorder agency or probation department designated under RCW 46.61.5056 and shall deny

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

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))~~ substance use disorder 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, 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) ~~((H))~~ Except as provided in subsection (4) of this section, 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))~~ seventy 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) ~~((H))~~ Except as provided in subsection (4) of this section, 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))~~ seventy 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))~~ substance use disorder 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))~~ substance use disorder 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) ~~((H))~~ Except as provided in subsection (4) of this section, 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))~~ seventy dollars.

(4) When the department reinstates a person's driver's license following a suspension, revocation, or denial under RCW 46.20.3101 or 46.61.5055, and the person is entitled to full day-for-day credit under RCW 46.20.3101(4) or 46.61.5055(9)(b)(ii) for an additional restriction arising from the same incident, the department shall impose no additional reissue fees under subsection (1)(e)(ii), (2)(b)(ii), or (3)(b) of this section associated with the additional restriction.

Sec. 8. RCW 46.20.355 and 1998 c 209 s 3 and 1998 c 41 s 5 are each reenacted and amended to read as follows:

(1) Upon receipt of an abstract indicating a deferred prosecution has been granted under RCW 10.05.060, or upon receipt of a notice of conviction of RCW 46.61.502 or 46.61.504, the department of licensing shall order the person to surrender any nonprobationary Washington state driver's license that may be in his or her possession. The department shall revoke the license, permit, or privilege to drive of any person who fails to surrender it as required by this section for one year, unless the license has been previously surrendered to the department, a law enforcement officer, or a court, or the person has completed an affidavit of lost, stolen, destroyed, or previously surrendered license, such revocation to take effect thirty days after notice is given of the requirement for license surrender.

(2) The department shall place a person's driving privilege in probationary status as required by RCW 10.05.060 or 46.61.5055 for a period of five years from the date the probationary status is required to go into effect.

(3) Following receipt of an abstract indicating a deferred prosecution has been granted under RCW 10.05.060, or upon reinstatement or reissuance of a driver's license suspended or revoked as the result of a conviction of RCW 46.61.502 or 46.61.504, the department shall require the person to obtain a probationary license in order to operate a motor vehicle in the state of Washington, except as otherwise exempt under RCW 46.20.025. The department shall not issue the probationary license unless the person is otherwise qualified for licensing, and the person must renew the probationary license on the same cycle as the person's regular license would have been renewed until the expiration of the five-year probationary status period imposed under subsection (2) of this section.

(4) If a person is eligible for full credit under RCW 46.61.5055(9)(b)(ii) and, by the date specified in the notice issued under RCW 46.20.245, has completed the requirements under RCW 46.20.311 and paid the fee under subsection (5) of this section, the department shall issue a probationary license on the date specified in the notice with no further action required of the person.

(5) For each original issue or renewal of a probationary license under this section, the department shall charge a fee of fifty dollars in addition to any other licensing fees required. Except for when renewing a probationary license, the department shall waive the requirement to obtain an additional probationary license and the fifty dollar fee if the person has a probationary license in his or her possession at the time a new probationary license is required.

~~((5))~~ (6) A probationary license shall enable the department and law enforcement personnel to determine that the person is on probationary status. The fact that a person's driving privilege is in probationary status or that the person has been issued a probationary license shall not be a part of the person's record that is available to insurance companies.

Sec. 9. RCW 46.20.385 and 2017 c 336 s 4 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).

(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.

(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

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

applicant shall pay the cost of installing, removing, and leasing the ignition interlock device and shall pay an additional fee of ~~((twenty))~~ twenty-one dollars per month. Payments shall be made directly to the ignition interlock company. The company shall remit the additional fee to the department, except that the company may retain twenty-five cents per month of the additional fee to cover the expenses associated with administering the fee.

(b) The department shall deposit the proceeds of the ~~((twenty))~~ twenty-one 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. 10. RCW 46.20.720 and 2019 c 232 s 22 are each amended to read as follows:

(1) **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 mandatory suspension, revocation, or denial of driving privileges, or upon fulfillment of day-for-day credit under RCW 46.61.5055(9)(b)(ii) for a 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))~~ alcohol set point 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.))~~ Alcohol set point. 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))~~ have an alcohol set point that prevents the motor vehicle from being started when the breath sample provided has an alcohol concentration of ~~((0.025))~~ 0.020 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;

(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))~~ one or more passengers under the age of sixteen ~~((was))~~ were 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) The period of restriction under (c) or (d) of this subsection shall be extended by one hundred eighty days whenever the department receives notice that the restricted person has been convicted under RCW 46.20.740 or 46.20.750. If the period of restriction under (c) or (d) of this subsection has been fulfilled and cannot be extended, the department must add a new one hundred eighty-day restriction that is imposed from the date of conviction and is subject to the requirements for removal under subsection (4) of this section.

(f) Subsection (1)(e) of this section shall remain in effect for the period of time specified by the court.

(g) The period of restriction under (c) and (d) of this subsection based on incidents occurring on or after June 9, 2016, 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 unless the person receives a determination from the department that the person is unable to operate an ignition interlock device due to a physical disability. The department's determination that a person is unable to operate an ignition interlock device must be reasonable and be based upon good and substantial evidence. This determination is subject to review by a court of competent jurisdiction. The department may charge a

person seeking a medical exemption under this subsection a reasonable fee for the assessment.

(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)~~ the following:

(a) ~~That~~ there have been none of the following incidents in the one hundred eighty consecutive days prior to the date of release:

~~((a))~~ (i) 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))~~ (ii) 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))~~ (iii) Failure to pass any random retest with a breath alcohol concentration of ~~((0.025 or))~~ lower than 0.020 unless a subsequent test performed within ten minutes registers a breath alcohol concentration lower than ~~((0.025))~~ 0.020, and the digital image confirms the same person provided both samples; ~~(or~~

~~(d))~~ (iv) 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; or

(v) Removal of the ignition interlock device by a person other than an ignition interlock technician certified by the Washington state patrol; and

(b) That the ignition interlock device was inspected at the conclusion of the one hundred eighty-day period by an ignition interlock technician certified by the Washington state patrol and no evidence was found that the device was tampered with in the manner described in RCW 46.20.750.

(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 chapter 5.50 RCW 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. When the department receives a declaration under this subsection, it shall attach or imprint a notation on the person's driving record stating that the employer exemption applies.

(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))~~ twenty-one dollars per month. Payments must be made directly to the ignition interlock company. The company shall remit the additional fee to the department to be deposited into the ignition interlock device revolving account, except that the company may retain twenty-five cents per month of the additional fee to cover the expenses associated with administering the fee. 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 one or more requirements for removal under subsection (4) of this section if compliance with the requirement or requirements would be impractical in the case of a person residing in another jurisdiction, provided the person is in compliance with any equivalent requirement 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. 11. RCW 46.20.740 and 2015 2nd sp.s. c 3 s 4 are each amended to read as follows:

(1) The department shall attach or imprint a notation on the driving record of any person restricted under RCW 46.20.720, 46.61.5055, or 10.05.140 stating that the person may operate only a motor vehicle equipped with a functioning ignition interlock 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 seeking reinstatement. If, based upon notification from the interlock provider or otherwise, the department determines that an ignition interlock required under this section 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.

(2) It is a gross misdemeanor for a person with such a notation on his or her driving record to operate a motor vehicle that is not so equipped, unless the notation resulted from a restriction imposed as a condition of release and the restriction has been released by the court prior to driving. Any time a person is convicted under this section, the court shall immediately notify the department for purposes of RCW 46.20.720(3)(e).

(3) Any sentence imposed for a violation of subsection (2) of this section shall be served consecutively with any sentence imposed under RCW 46.20.750, 46.61.502, 46.61.504, or 46.61.5055.

Sec. 12. RCW 46.20.750 and 2015 2nd sp.s. c 3 s 6 are each amended to read as follows:

(1) A person who is restricted to the use of a vehicle equipped with an ignition interlock device is guilty of a gross misdemeanor if the restricted driver:

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

(a) Tamper with the device or any components of the device, or otherwise interferes with the proper functionality of the device, by modifying, detaching, disconnecting, or otherwise disabling it to allow the restricted driver to operate the vehicle;

(b) Uses or requests another person to use a filter or other device to circumvent the ignition interlock or to start or operate the vehicle to allow the restricted driver to operate the vehicle;

(c) Has, directs, authorizes, or requests another person to tamper with the device or any components of the device, or otherwise interfere with the proper functionality of the device, by modifying, detaching, disconnecting, or otherwise disabling it to allow the restricted driver to operate the vehicle; or

(d) Has, allows, directs, authorizes, or requests another person to blow or otherwise exhale into the device in order to circumvent the device to allow the restricted driver to operate the vehicle.

(2) A person who knowingly assists another person who is restricted to the use of a vehicle equipped with an ignition interlock device to circumvent the device or any components of the device, or otherwise interfere with the proper functionality of the device, or to start and operate that vehicle is guilty of a gross misdemeanor. The provisions of this subsection do not apply if the starting of a motor vehicle, or the request to start a motor vehicle, equipped with an ignition interlock device is done for the purpose of safety or mechanical repair of the device or the vehicle and the person subject to the court order does not operate the vehicle.

(3) Any sentence imposed for a violation of subsection (1) of this section shall be served consecutively with any sentence imposed under RCW 46.20.740, 46.61.502, 46.61.504, 46.61.5055, 46.61.520(1)(a), or 46.61.522(1)(b).

(4) Any time a person is convicted under subsection (1) of this section, the court shall immediately notify the department for purposes of RCW 46.20.720(3)(e).

Sec. 13. RCW 46.55.113 and 2011 c 167 s 6 are each amended to read as follows:

(1) Whenever the driver of a vehicle is arrested for a violation of RCW 46.20.342 or 46.20.345, the vehicle is subject to summary impoundment, pursuant to the terms and conditions of an applicable local ordinance or state agency rule at the direction of a law enforcement officer.

(2) In addition, a police officer may take custody of a vehicle, at his or her discretion, and provide for its prompt removal to a place of safety under any of the following circumstances:

(a) Whenever a police officer finds a vehicle standing upon the roadway in violation of any of the provisions of RCW 46.61.560, the officer may provide for the removal of the vehicle or require the driver or other person in charge of the vehicle to move the vehicle to a position off the roadway;

(b) Whenever a police officer finds a vehicle unattended upon a highway where the vehicle constitutes an obstruction to traffic or jeopardizes public safety;

(c) Whenever a police officer finds an unattended vehicle at the scene of an accident or when the driver of a vehicle involved in an accident is physically or mentally incapable of deciding upon steps to be taken to protect his or her property;

(d) Whenever the driver of a vehicle is arrested and taken into custody by a police officer;

(e) Whenever a police officer discovers a vehicle that the officer determines to be a stolen vehicle;

(f) Whenever a vehicle without a special license plate, placard, or decal indicating that the vehicle is being used to transport a person with disabilities under RCW 46.19.010 is parked in a stall or space clearly and conspicuously marked under RCW 46.61.581 which space is provided on private property without charge or on public property;

(g) Upon determining that a person is operating a motor vehicle without a valid and, if required, a specially endorsed driver's license or with a license that has been expired for ninety days or more;

(h) When a vehicle is illegally occupying a truck, commercial loading zone, restricted parking zone, bus, loading, hooded-meter, taxi, street construction or maintenance, or other similar zone where, by order of the director of transportation or chiefs of police or fire or their designees, parking is limited to designated classes of vehicles or is prohibited during certain hours, on designated days or at all times, if the zone has been established with signage for at least twenty-four hours and where the vehicle is interfering with the proper and intended use of the zone. Signage must give notice to the public that a vehicle will be removed if illegally parked in the zone;

(i) When a vehicle with an expired registration of more than forty-five days is parked on a public street;

(j) Upon determining that a person restricted to use of only a motor vehicle equipped with a functioning ignition interlock device is operating a motor vehicle that is not equipped with such a device in violation of RCW 46.20.740(2).

(3) When an arrest is made for a violation of RCW 46.20.342, if the vehicle is a commercial vehicle or farm transport vehicle and the driver of the vehicle is not the owner of the vehicle, before the summary impoundment directed under subsection (1) of this section, the police officer shall attempt in a reasonable and timely manner to contact the owner of the vehicle and may release the vehicle to the owner if the owner is reasonably available, as long as the owner was not in the vehicle at the time of the stop and arrest and the owner has not received a prior release under this subsection or RCW 46.55.120(1)((a)) (b)(ii).

(4) Nothing in this section may derogate from the powers of police officers under the common law. For the purposes of this section, a place of safety may include the business location of a registered tow truck operator.

(5) For purposes of this section "farm transport vehicle" means a motor vehicle owned by a farmer and that is being actively used in the transportation of the farmer's or another farmer's farm, orchard, aquatic farm, or dairy products, including livestock and plant or animal wastes, from point of production to market or disposal, or supplies or commodities to be used on the farm, orchard, aquatic farm, or dairy, and that has a gross vehicle weight rating of 7,258 kilograms (16,001 pounds) or more.

Sec. 14. RCW 46.61.500 and 2012 c 183 s 11 are each amended to read as follows:

(1) Any person who drives any vehicle in willful or wanton disregard for the safety of persons or property is guilty of reckless driving. Violation of the provisions of this section is a gross misdemeanor punishable by imprisonment for up to three hundred sixty-four days and by a fine of not more than five thousand dollars.

(2)(a) Subject to (b) of this subsection, the license or permit to drive or any nonresident privilege of any person convicted of reckless driving shall be suspended by the department for not less than thirty days.

(b) When a reckless driving conviction is a 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, the department shall grant credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under an administrative action arising out of the same incident. In the case of a person whose day-for-day credit is for a period equal to or greater than the period of suspension required under this section, the department shall provide notice of full credit, shall provide for no further suspension under this section, and shall impose no

additional reissue fees for this credit. During any period of suspension, revocation, or denial due to a conviction for reckless driving as the result of a charge originally filed as a violation of RCW 46.61.502 or 46.61.504, any person who has obtained an ignition interlock driver's license under RCW 46.20.385 may continue to drive a motor vehicle pursuant to the provision of the ignition interlock driver's license without obtaining a separate temporary restricted driver's license under RCW 46.20.391.

(3)(a) Except as provided under (b) of this subsection, a person convicted of reckless driving who has one or more prior offenses as defined in RCW 46.61.5055(14) within seven years shall be required, under RCW 46.20.720, to install an ignition interlock device on all vehicles operated by the person if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502, 46.61.504, or an equivalent local ordinance.

(b) A person convicted of reckless driving shall be required, under RCW 46.20.720, to install an ignition interlock device on all vehicles operated by the person 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 or RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug.

Sec. 15. RCW 46.61.5055 and 2018 c 201 s 9009 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))~~ twenty-four consecutive hours 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, in its discretion, 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))~~ forty-eight consecutive hours 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, in its discretion, 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 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. Thirty days of imprisonment and sixty days of electronic home monitoring may not be suspended or converted 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. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory term of imprisonment and electronic home monitoring under this subsection (2)(a)(i), the court may order a minimum of ((four days in jail and)) either one hundred eighty days of electronic home monitoring or a one hundred twenty-day period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The court shall order an expanded ~~((alcohol))~~ substance use disorder 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~~

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

~~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~~

(i) 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. ~~((**h**))~~ Forty-five days of imprisonment and ninety days of electronic home monitoring may not be suspended or converted 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. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory minimum term of imprisonment and electronic home monitoring under this subsection (2)(b)(i), the court may order a minimum of ((six days in jail and)) either six months of electronic home monitoring or a one hundred twenty-day period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The court shall order an expanded ~~((alcohol))~~ substance use disorder 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 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 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. Ninety days of imprisonment and one hundred twenty days of electronic home monitoring may not be suspended or converted 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. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory minimum term of ninety days of imprisonment and one hundred twenty days of electronic home monitoring, the court may order ((at least an additional eight days in jail)) three hundred sixty days of electronic home monitoring or a three hundred sixty-day period of 24/7 sobriety monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The court shall order an expanded ~~((alcohol))~~ substance use disorder 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. One hundred twenty days of imprisonment and one hundred fifty days of electronic home monitoring may not be suspended or converted 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. If the offender shows that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being, in lieu of the mandatory minimum term of one hundred twenty days of imprisonment and one hundred fifty days of electronic home monitoring, the court may order ((at least an additional ten days in jail)) three hundred sixty days of electronic home monitoring or a three hundred sixty-day period of 24/7 sobriety monitoring pursuant to RCW 36.28A.300 through 36.28A.390. Whenever the mandatory minimum sentence is suspended or converted, the court shall state in writing the reason

for granting the suspension or conversion and the facts upon which the suspension or conversion is based. The offender shall pay for the cost of the electronic monitoring. The court shall order an expanded ~~((alcohol))~~ substance use disorder 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) **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 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) **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))~~ one or more passengers under the age of sixteen ~~((was))~~ were in the vehicle, the court shall:

(a) Order the use of an ignition interlock or other device for an additional ~~((six))~~ twelve months for each passenger under the age of sixteen when the person is subject to the penalties under subsection (1)(a), (2)(a), or (3)(a) of this section; and order the use of an ignition interlock device for an additional eighteen months for each passenger under the age of sixteen when the person is subject to the penalties under subsection (1)(b), (2)(b), (3)(b), or (4) of this section;

(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 to be served consecutively for each passenger under the age of sixteen, and a fine of not less than one thousand dollars and not more than five thousand dollars for each passenger under the age of sixteen. One thousand dollars of the fine for each passenger under the age of sixteen 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 to be served consecutively for each passenger under the age of sixteen, and a fine of not less than two thousand dollars and not more than five thousand dollars for each passenger under the age of sixteen. One thousand dollars of the fine for each passenger under the age of sixteen may not be suspended unless the court finds the offender to be indigent;

(d) In any case in which the person has two 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 to be served consecutively for each passenger under the age of sixteen, and a fine of not less than three thousand dollars and not more than ten thousand dollars for each passenger under the age of sixteen. One thousand dollars of the fine for each passenger under the age of sixteen 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))~~ substance use disorder assessment and treatment provisions of RCW 46.61.5056.

(9) **Driver's license privileges of the defendant.** (a) 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))~~ (i) **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

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

((#)) (A) 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))~~ a substance use disorder 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;

((##)) (B) Where there has been one prior offense within seven years, be revoked or denied by the department for two years or until the person is evaluated by ~~((an alcoholism))~~ a substance use disorder agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a six-month period of 24/7 sobriety program monitoring. In no circumstances shall the license suspension be for less than one year; or

((###)) (C) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for three years;

((#b)) (ii) **Penalty for alcohol concentration at least 0.15.** If the person's alcohol concentration was at least 0.15:

((#)) (A) 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))~~ a substance use disorder 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;

((##)) (B) Where there has been one prior offense within seven years, be revoked or denied by the department for nine hundred days; or

((###)) (C) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for four years; or

((#e)) (iii) **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:

((#)) (A) Where there have been no prior offenses within seven years, be revoked or denied by the department for two years;

((##)) (B) Where there has been one prior offense within seven years, be revoked or denied by the department for three years; or

((###)) (C) Where there have been two or more previous offenses within seven years, be revoked or denied by the department for four years.

(b)(i) The department shall grant credit on a day-for-day basis for ~~((any portion of))~~ a suspension, revocation, or denial ~~((already served))~~ imposed under this subsection (9) for any portion of a suspension, revocation, or denial ~~((imposed))~~ already served under RCW 46.20.3101 arising out of the same incident.

(ii) If a person has already served a suspension, revocation, or denial under RCW 46.20.3101 for a period equal to or greater than the period imposed under this subsection (9), the department shall provide notice of full credit, shall provide for no further suspension or revocation under this subsection provided the person has completed the requirements under RCW 46.20.311 and paid the probationary license fee under RCW 46.20.355 by the date specified in the notice under RCW 46.20.245, and shall impose no additional reissue fees for this credit.

(c) 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.

(d) 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.

(e) 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. 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))~~ substance use disorder 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 substance use disorder treatment licensed or certified by the department of health;

(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. 16. RCW 46.61.5056 and 2018 c 201 s 9010 are each amended to read as follows:

(1) A person subject to ~~((alcohol))~~ substance use disorder assessment and treatment under RCW 46.61.5055 shall be required by the court to complete a course in an alcohol and drug information school licensed or certified by the department of health or to complete more intensive treatment in a substance use disorder treatment program licensed or certified by the department of health, as determined by the court. The court shall notify the department of licensing whenever it orders a person to complete a course or treatment program under this section.

(2) A diagnostic evaluation and treatment recommendation shall be prepared under the direction of the court by a substance

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

use disorder treatment program licensed or certified by the department of health or a qualified probation department approved by the department of social and health services. A copy of the report shall be forwarded to the court and the department of licensing. Based on the diagnostic evaluation, the court shall determine whether the person shall be required to complete a course in an alcohol and drug information school licensed or certified by the department of health or more intensive treatment in an approved substance use disorder treatment program licensed or certified by the department of health.

(3) Standards for approval for ~~((alcohol))~~ substance use disorder treatment programs shall be prescribed by the department of health. The department of health shall periodically review the costs of alcohol and drug information schools and treatment programs.

(4) Any agency that provides treatment ordered under RCW 46.61.5055, shall immediately report to the appropriate probation department where applicable, otherwise to the court, and to the department of licensing any noncompliance by a person with the conditions of his or her ordered treatment. The court shall notify the department of licensing and the department of health of any failure by an agency to so report noncompliance. Any agency with knowledge of noncompliance that fails to so report shall be fined two hundred fifty dollars by the department of health. Upon three such failures by an agency within one year, the department of health shall revoke the agency's license or certification under this section.

(5) The department of licensing and the department of health may adopt such rules as are necessary to carry out this section.

Sec. 17. RCW 46.61.524 and 2008 c 231 s 46 are each amended to read as follows:

As provided for under RCW 46.20.285, the department shall revoke the license, permit to drive, or a nonresident privilege of a person convicted of vehicular homicide under RCW 46.61.520 or vehicular assault under RCW 46.61.522. The department shall determine the eligibility of a person convicted of vehicular homicide under RCW 46.61.520(1)(a) or vehicular assault under RCW 46.61.522(1)(b) to receive a license based upon the report provided by the designated ~~((alcoholism))~~ substance use disorder treatment facility or probation department designated pursuant to RCW 9.94A.703(4)(b), and shall deny reinstatement until satisfactory progress in an approved program has been established and the person is otherwise qualified.

Sec. 18. RCW 46.68.041 and 2004 c 95 s 15 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the department shall forward all funds accruing under the provisions of chapter 46.20 RCW together with a proper identifying, detailed report to the state treasurer who shall deposit such moneys to the credit of the highway safety fund.

(2) ~~((Sixty-three))~~ Fifty-six percent of each fee collected by the department under RCW 46.20.311 (1)(e)(ii), (2)(b)(ii), and (3)(b) shall be deposited in the impaired driving safety account.

NEW SECTION. Sec. 19. RCW 43.43.3951 (Ignition interlock devices—Limited exemption for companies not using devices employing fuel cell technology) and 2010 c 268 s 3 are each repealed.

NEW SECTION. Sec. 20. Sections 2, 3, 5 through 12, and 14 through 18 of this act take effect January 1, 2022."

On page 1, line 1 of the title, after "driving;" strike the remainder of the title and insert "amending RCW 9.94A.533, 9.94A.729, 10.21.055, 38.52.430, 46.20.245, 46.20.3101, 46.20.311, 46.20.385, 46.20.720, 46.20.740, 46.20.750, 46.55.113, 46.61.500, 46.61.5055, 46.61.5056, 46.61.524, and 46.68.041; reenacting and amending RCW 46.20.355; repealing

RCW 43.43.3951; 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 Law & Justice to Third Substitute House Bill No. 1504.

The motion by Senator Padden carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Padden, the rules were suspended, Third Substitute House Bill No. 1504 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 Pedersen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Third Substitute House Bill No. 1504 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Third Substitute House Bill No. 1504 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 Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

THIRD SUBSTITUTE HOUSE BILL NO. 1504 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. 2682, by Representatives Senn, Kilduff, Leavitt and Pollet

Concerning out-of-home services.

The measure was read the second time.

MOTION

On motion of Senator Darneille, the rules were suspended, House Bill No. 2682 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille and Walsh spoke in favor of passage of the bill.

MOTION

On motion of Senator Wilson, C., Senator Lovelett was excused.

The President declared the question before the Senate to be the final passage of House Bill No. 2682.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2682 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liiias, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Lovelett

HOUSE BILL NO. 2682, having received the 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. 2205, by House Committee on Civil Rights & Judiciary (originally sponsored by Goodman, Dufault and Appleton)

Making technical corrections and removing obsolete language from the Revised Code of Washington pursuant to RCW 1.08.025.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute House Bill No. 2205 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. 2205.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2205 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liiias, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Lovelett

SUBSTITUTE HOUSE BILL NO. 2205, having received the 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. 2476, by House Committee on Civil Rights & Judiciary (originally sponsored by Walen, Duerr, Kloba, Kilduff, Leavitt, Lekanoff, Orwall, Davis, Doglio, Frame, Macri, Goodman and Ormsby)

Concerning debt buyers.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute House Bill No. 2476 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator 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 House Bill No. 2476.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2476 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liiias, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Lovelett

SUBSTITUTE 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

HOUSE BILL NO. 2266, by Representatives Doglio, Dolan, Leavitt, Ryu, Tarleton, Appleton, Paul, Ormsby, Sells, Macri, Wylie, Senn, Cody, Kloba, Hudgins and Pollet

Concerning reasonable accommodation for the expression of breast milk without requiring written certification from a health care professional.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, House Bill No. 2266 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser 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. 2266.

ROLL CALL

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

The Secretary called the roll on the final passage of House Bill No. 2266 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Lovelett

HOUSE BILL NO. 2266, having received the 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. 2411, by House Committee on Health Care & Wellness (originally sponsored by Orwall, Kilduff, Gildon, Leavitt, Paul, Cody, Davis, Pollet, Goodman, Wylie, Doglio and Morgan)

Preventing suicide.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute House Bill No. 2411 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland 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 Engrossed Substitute House Bill No. 2411.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2411 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Lovelett

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2411, having received the 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. 2259, by Representatives Rude, Leavitt and Thai

Expanding background check requirements for certain educational institutions.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, House Bill No. 2259 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins 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. 2259.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2259 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Lovelett

HOUSE BILL NO. 2259, having received the 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. 2589, by House Committee on Education (originally sponsored by Callan, Rude, Pollet, Orwall, Doglio, Steele, Kilduff, Caldier, Davis, Corry, Senn, Ybarra, Thai, Ramos, Ryu, Santos, Leavitt, Gildon, Bergquist, J. Johnson, Frame and Macri)

Requiring contact information for suicide prevention and crisis intervention organizations on student and staff identification cards.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Substitute House Bill No. 2589 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

Senators Becker and Ericksen spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2589.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2589 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Saldaña, Salomon, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Becker, Ericksen, Fortunato, Padden, Rolfes, Schoesler and Walsh

SUBSTITUTE HOUSE BILL NO. 2589, having received the 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. 2632, by House Committee on Public Safety (originally sponsored by Valdez, Griffey, Ryu, Pellicciotti, Pollet, Orwall, Gregerson, Goodman, Irwin, Ramos, Slatter, Entenman, Davis and Macri)

Concerning false reporting of a crime or emergency.

The measure was read the second time.

MOTION

Senator Salomon 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.** False reporting laws criminalize the knowingly false reporting of certain occurrences that are likely to cause unwarranted evacuations, public inconvenience, or alarm. Recently, however, false reporting and the 911 system have been weaponized, resulting in serious dangers and even lost lives. The term "swatting" describes the false reporting of an emergency with the goal of having a police unit or special weapons and tactics team deployed. The reckless act of swatting, often motivated by the perpetrator's bias towards protected classes, has caused death and trauma in some cases. As such, we find that a gross misdemeanor is insufficient as a legal response and here create felony false reporting punishments when the false reporting leads to injury or death.

Sec. 2. RCW 9A.84.040 and 2011 c 336 s 411 are each amended to read as follows:

(1) ~~((A))~~ (a) Except as provided in subsection (5) of this section and under circumstances not constituting false reporting in the first or second degree, a person is guilty of false reporting in the third degree if with knowledge that the information reported, conveyed, or circulated is false, ((he or she)) that person initiates or circulates a false report or warning of an alleged occurrence or impending occurrence ((of a fire, explosion, crime, catastrophe, or emergency)) knowing that such false report is likely to cause ((evacuation of a building, place of assembly, or transportation facility, or to cause public inconvenience or alarm)) an emergency response.

~~((2))~~ (b) False reporting in the third degree is a gross misdemeanor.

(2)(a) Except as provided in subsection (5) of this section, a person is guilty of false reporting in the second degree if with knowledge that the information reported, conveyed, or circulated is false, that person initiates or circulates a false report or warning of an alleged occurrence or impending occurrence knowing that such false report is likely to cause an emergency response, the report was made with reckless disregard for the safety of others, and substantial bodily harm is sustained by any person as a proximate result of an emergency response.

(b) False reporting in the second degree is a class C felony.

(3)(a) Except as provided in subsection (5) of this section, a person is guilty of false reporting in the first degree if with knowledge that the information reported, conveyed, or circulated is false, that person initiates or circulates a false report or warning of an alleged occurrence or impending occurrence knowing that such false report is likely to cause an emergency response, the report was made with reckless disregard for the safety of others, and death is sustained by any person as a proximate result of an emergency response.

(b) False reporting in the first degree is a class B felony.

(4) Any person convicted of violating this section and that resulted in an emergency response may be liable to a public agency for the reasonable costs of the emergency response by, and at the discretion of, the public agency that incurred the costs.

(5) Where a case is legally sufficient to charge a person under the age of eighteen with the crime of false reporting and the alleged offense is the offender's first violation of this section, the prosecutor may divert the case.

(6) A violation or attempted violation of this section may be prosecuted in any jurisdiction where the defendant made the false report, the county where the false report was communicated to law enforcement, or the county where law enforcement responded to the false report.

(7)(a) An individual who is a victim of an offense under this section may bring a civil action against the person who committed the offense or against any person who knowingly benefits, financially or by receiving anything of value, from participation in a venture that the person knew or should have known has engaged in an act in violation of this chapter, and may recover damages and any other appropriate relief, including reasonable attorneys' fees.

(b) A person who is found liable under this subsection shall be jointly and severally liable with each other person, if any, who is found liable under this subsection for damages arising from the same violation of this section.

(8) As used in this section, "emergency response" means any action to protect life, health, or property by:

(a) A peace officer or law enforcement agency of the United States, the state, or a political subdivision of the state;

(b) An agency of the United States, the state, or a political subdivision of the state, or a private not-for-profit organization, that provides fire, rescue, or emergency medical services.

(9) Nothing in this section will be construed to:

(a) Impose liability on a person who contacts law enforcement for the purpose of, or in connection with, the reporting of unlawful conduct;

(b) Conflict with Title 47 U.S.C. Sec. 230 of the communication decency act; or

(c) Conflict with Title 42 U.S.C. Sec. 1983 of the civil rights act.

Sec. 3. RCW 9.94A.515 and 2019 c 271 s 7, 2019 c 243 s 5, 2019 c 64 s 3, and 2019 c 46 s 5009 are each reenacted and amended to read as follows:

TABLE 2

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL	
XVI Aggravated Murder 1 (RCW 10.95.020)	Commercial Sexual Abuse of a Minor (RCW 9.68A.100)
XV Homicide by abuse (RCW 9A.32.055)	Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
Malicious explosion 1 (RCW 70.74.280(1))	Manslaughter 2 (RCW 9A.32.070)
Murder 1 (RCW 9A.32.030)	Promoting Prostitution 1 (RCW 9A.88.070)
XIV Murder 2 (RCW 9A.32.050)	Theft of Ammonia (RCW 69.55.010)
Trafficking 1 (RCW 9A.40.100(1))	VII Air bag diagnostic systems (causing bodily injury or death) (RCW 46.37.660(2)(b))
XIII Malicious explosion 2 (RCW 70.74.280(2))	Air bag replacement requirements (causing bodily injury or death) (RCW 46.37.660(1)(b))
Malicious placement of an explosive 1 (RCW 70.74.270(1))	Burglary 1 (RCW 9A.52.020)
XII Assault 1 (RCW 9A.36.011)	Child Molestation 2 (RCW 9A.44.086)
Assault of a Child 1 (RCW 9A.36.120)	Civil Disorder Training (RCW 9A.48.120)
Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))	Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))
Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)	Drive-by Shooting (RCW 9A.36.045)
Rape 1 (RCW 9A.44.040)	<u>False Reporting 1 (section 2(3) of this act)</u>
Rape of a Child 1 (RCW 9A.44.073)	Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
Trafficking 2 (RCW 9A.40.100(3))	Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1) (b) and (c))
XI Manslaughter 1 (RCW 9A.32.060)	Introducing Contraband 1 (RCW 9A.76.140)
Rape 2 (RCW 9A.44.050)	Malicious placement of an explosive 3 (RCW 70.74.270(3))
Rape of a Child 2 (RCW 9A.44.076)	Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (causing bodily injury or death) (RCW 46.37.650(1)(b))
Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)	Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)
Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)	Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(b))
X Child Molestation 1 (RCW 9A.44.083)	Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
Criminal Mistreatment 1 (RCW 9A.42.020)	Unlawful Possession of a Firearm in the first degree (RCW 9A.41.040(1))
Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))	Use of a Machine Gun or Bump-fire Stock in Commission of a Felony (RCW 9A.41.225)
Kidnapping 1 (RCW 9A.40.020)	Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
Leading Organized Crime (RCW 9A.82.060(1)(a))	VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
Malicious explosion 3 (RCW 70.74.280(3))	Bribery (RCW 9A.68.010)
Sexually Violent Predator Escape (RCW 9A.76.115)	Incest 1 (RCW 9A.64.020(1))
IX Abandonment of Dependent Person 1 (RCW 9A.42.060)	Intimidating a Judge (RCW 9A.72.160)
Assault of a Child 2 (RCW 9A.36.130)	Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
Explosive devices prohibited (RCW 70.74.180)	Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
Hit and Run—Death (RCW 46.52.020(4)(a))	Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))
Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)	Rape of a Child 3 (RCW 9A.44.079)
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)	

- Theft of a Firearm (RCW 9A.56.300)
- Theft from a Vulnerable Adult 1 (RCW 9A.56.400(1))
- 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)
- 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, 26.26B.050, 26.50.110, 26.52.070, or 74.34.145)
- 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)
- Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (RCW 46.37.650(1)(c))
- Perjury 1 (RCW 9A.72.020)
- Persistent prison misbehavior (RCW 9.94.070)
- Possession of a Stolen Firearm (RCW 9A.56.310)
- Rape 3 (RCW 9A.44.060)
- Rendering Criminal Assistance 1 (RCW 9A.76.070)
- Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(c))
- 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 4 (third domestic violence offense) (RCW 9A.36.041(3))
- 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)
- Hate Crime (RCW 9A.36.080)
- 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)
- 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)
False Reporting 2 (section 2(2) of this act)
 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)
 Manufacture of Untraceable Firearm with Intent to Sell (RCW 9.41.190)
 Manufacture or Assembly of an Undetectable Firearm or Untraceable Firearm (RCW 9.41.325)
 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, Bump-Fire Stock, Undetectable Firearm, 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 Fish or Shellfish 1 (RCW 77.140.060(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.90.040)
 Counterfeiting (RCW 9.16.035(3))
 Electronic Data Service Interference (RCW 9A.90.060)
 Electronic Data Tampering 1 (RCW 9A.90.080)
 Electronic Data Theft (RCW 9A.90.100)
 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, Lease-purchased, or Loaned Property (valued at five thousand 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 1 (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 from a Vulnerable Adult 2 (RCW 9A.56.400(2))

Theft of Rental, Leased, Lease-purchased, or Loaned Property (valued at seven hundred fifty dollars or more but less than five thousand 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))"

On page 1, line 1 of the title, after "emergency;" strike the remainder of the title and insert "amending RCW 9A.84.040; reenacting and amending RCW 9.94A.515; creating a new section; and prescribing penalties."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to Substitute House Bill No. 2632.

The motion by Senator Salomon carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Salomon, the rules were suspended, Substitute House Bill No. 2632 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 Salomon 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 House Bill No. 2632 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2632 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 Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SUBSTITUTE HOUSE BILL NO. 2632 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. 2868, by House Committee on Finance (originally sponsored by Blake and Walsh)

Allowing for extensions of the special valuation of historic property for certain properties.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, Substitute House Bill No. 2868 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Takko spoke in favor of passage of the bill.

FIFTY FIRST DAY, MARCH 3, 2020

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2868.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2868 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

SUBSTITUTE HOUSE BILL NO. 2868, having received the 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 Eslick, Kilduff, Doglio and Leavitt

Concerning services for children with multiple handicaps.

The measure was read the second time.

MOTION

On motion of Senator Randall, 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 Randall 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.

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, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

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.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed Island View Elementary School students of Anacortes who were present in the gallery and introduced by Senator Lovelett.

2020 REGULAR SESSION

The fourth-grade students were led by Mr. Peter Lincoln, Ms. Danica Almvig, and Ms. Patricia Tonnemaker and included Senator Lovelett's youngest daughter, Mirabel..

SECOND READING

HOUSE BILL NO. 2390, by Representatives Kilduff, Goodman, Klippert, Leavitt, Thai, Dufault, Macri, Senn and Hudgins

Using respectful language.

The measure was read the second time.

MOTION

On motion of Senator Liias, the senate deferred further consideration of House Bill No. 2390 and the bill held its place on the second reading calendar.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2473, by House Committee on Public Safety (originally sponsored by Goodman and Wylie)

Concerning domestic violence.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute House Bill No. 2473 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.

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. 2473.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2473 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

SUBSTITUTE HOUSE BILL NO. 2473, having received the 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. 2785, by House Committee on Public Safety (originally sponsored by Lekanoff, Goodman, Klippert, Lovick and Peterson)

Concerning the membership of the criminal justice training commission.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, 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 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 House Bill No. 2785.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2785 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

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

ENGROSSED HOUSE BILL NO. 2792, by Representatives Mosbrucker, Orwall, Steele, Lovick, Goehner, Sells, Rude, Ybarra, Dye, Davis, Pollet and Lekanoff

Concerning missing and unidentified persons.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Engrossed House Bill No. 2792 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 House Bill No. 2792.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2792 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford,

Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

ENGROSSED HOUSE BILL NO. 2792, having received the 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. 2508, by Representatives Wylie and Vick

Simplifying the process for donating low-value surplus property owned by a city-owned utility.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, House Bill No. 2508 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short 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. 2508.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2508 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

HOUSE BILL NO. 2508, having received the 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. 2474, by Representative Sells

Concerning sales commissions.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, House Bill No. 2474 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser 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. 2474.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2474 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

HOUSE BILL NO. 2474, having received the 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. 2762, by Representatives Rude, Irwin and Lovick

Extending the peer support group testimonial privilege to include staff persons of the department of corrections.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, House Bill No. 2762 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. 2762.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2762 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

HOUSE BILL NO. 2762, having received the 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. 2571, by House Committee on Civil Rights & Judiciary (originally sponsored by Goodman, Klippert and Ormsby)

Concerning increased deterrence and meaningful enforcement of fish and wildlife violations.

The measure was read the second time.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Engrossed Substitute House Bill No. 2571 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Van De Wege 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. 2571.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2571 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2571, having received the 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 Senate resumed consideration of House Bill No. 2390 which had been deferred earlier in the day.

SECOND READING

HOUSE BILL NO. 2390, by Representatives Kilduff, Goodman, Klippert, Leavitt, Thai, Dufault, Macri, Senn and Hudgins

Using respectful language.

MOTION

On motion of Senator Randall, the rules were suspended, House Bill No. 2390 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and Becker spoke in favor of passage of the bill.

Senator Honeyford spoke against passage of the bill.

Senator Walsh spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2390.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2390 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt,

Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Ericksen, Honeyford, Padden and Wagoner

HOUSE BILL NO. 2390, having received the 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. 1551, by House Committee on Health Care & Wellness (originally sponsored by Cody, Stonier, Fey, Appleton and Pollet)

Modernizing the control of certain communicable diseases.

The measure was read the second time.

MOTION

Senator Fortunato moved that the following floor amendment no. 1227 by Senator Fortunato be adopted:

Beginning on page 7, line 31, strike all of section 5
Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 8, line 33, after "provided in" strike "sections 4 and 5" and insert "section 4"

On page 16, beginning on line 1, strike all of section 16
Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 4 of the title, after "70.24.370," strike "9A.36.011," and on line 5, after "adding" strike "new sections" and insert "a new section"

Senators Fortunato, Rivers, Schoesler and Wagoner spoke in favor of adoption of the amendment.

Senators Cleveland and Liias spoke against adoption of the amendment.

Senator Wagoner 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 the amendment by Senator Fortunato on page 7, line 31 to Engrossed Substitute House Bill No. 1551.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Fortunato and the amendment was not adopted by the following vote: Yeas, 22; Nays, 27; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Van De Wege, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Wellman and Wilson, C.

MOTION

Senator O'Ban moved that the following floor amendment no. 1218 by Senator O'Ban be adopted:

On page 8, line 8, after "this subsection," insert "the first"

On page 8, line 11, after "(b)" strike "Violation" and insert "The first violation"

On page 8, line 14, after "(c)" insert "The second or subsequent violation of this section is a class A felony punishable as provided in RCW 9A.20.021.

(d)"

Senators O'Ban, Short and Wagoner spoke in favor of adoption of the amendment.

Senators Cleveland and Pedersen spoke against adoption of the amendment.

Senator Short 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 the amendment by Senator O'Ban on page 8, line 8 to Engrossed Substitute House Bill No. 1551.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator O'Ban and the amendment was not adopted by the following vote:

Yeas, 22; Nays, 27; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Hobbs, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Van De Wege, Wagoner, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Walsh, Wellman and Wilson, C.

MOTION

Senator Fortunato moved that the following floor amendment no. 1228 by Senator Fortunato be adopted:

On page 8, line 8, after "this subsection," insert "the first or second"

On page 8, line 11, after "(b)" strike "Violation" and insert "The first or second violation"

On page 8, line 14, after "(c)" insert "The third or subsequent violation of this section is a class A felony punishable as provided in RCW 9A.20.021.

(d)"

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Cleveland spoke against adoption of the amendment.

Senator Fortunato 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 the amendment by Senator Fortunato on page 8, line 8 to Engrossed Substitute House Bill No. 1551.

ROLL CALL

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

The Secretary called the roll on the adoption of the amendment by Senator Fortunato and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Van De Wege, Wagoner, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Walsh, Wellman and Wilson, C.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute House Bill No. 1551 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland, Liias and Darneille spoke in favor of passage of the bill.

Senators O'Ban, Walsh, Schoesler, Wilson, L., Fortunato and Rivers 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. 1551.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1551 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Saldaña, Salomon, Sheldon, Stanford, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Rolfes, Schoesler, Short, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1551, having received the 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. 1754, by House Committee on Housing, Community Development & Veterans (originally sponsored by Santos, Jinkins and Pollet)

Concerning the hosting of the homeless by religious organizations.

The measure was read the second time.

MOTION

Senator Kuderer moved that the following committee striking amendment by the Committee on Housing Stability & Affordability be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature makes the following findings:

(a) Residents in temporary settings hosted by religious organizations are a particularly vulnerable population that do not have access to the same services as citizens with more stable housing.

(b) Residents in these settings, including outdoor uses such as outdoor encampments, indoor overnight shelters, temporary small houses on-site, and homeless-occupied vehicle resident safe parking, can be at increased risk of exploitation, theft, unsanitary living conditions, and physical harm.

(c) Furthermore, the legislature finds and declares that hosted outdoor encampments, indoor overnight shelters, temporary small houses on-site, and homeless-occupied vehicle resident safe parking serve as pathways for individuals experiencing homelessness to receive services and achieve financial stability, health, and permanent housing.

(2) The legislature intends that local municipalities have the discretion to protect the health and safety of both residents in temporary settings that are hosted by religious organizations and the surrounding community. The legislature encourages local jurisdictions and religious organizations to work together collaboratively to protect the health and safety of residents and the surrounding community while allowing religious organizations to fulfill their mission to serve the homeless. The legislature further intends to monitor the implementation of this act and continue to refine it to achieve these goals.

Sec. 2. RCW 36.01.290 and 2010 c 175 s 2 are each amended to read as follows:

(1) A religious organization may host ~~((temporary encampments for))~~ the homeless on property owned or controlled by the religious organization whether within buildings located on the property or elsewhere on the property outside of buildings.

(2) Except as provided in subsection (7) of this section, a county may not enact an ordinance or regulation or take any other action that:

(a) Imposes conditions other than those necessary to protect public health and safety and that do not substantially burden the decisions or actions of a religious organization regarding the location of housing or shelter, such as an outdoor encampment, indoor overnight shelter, temporary small house on-site, or vehicle resident safe parking, for homeless persons on property owned or controlled by the religious organization;

(b) Requires a religious organization to obtain insurance pertaining to the liability of a municipality with respect to homeless persons housed on property owned by a religious organization or otherwise requires the religious organization to indemnify the municipality against such liability; ~~((or))~~

(c) Imposes permit fees in excess of the actual costs associated with the review and approval of ~~((the required))~~ permit applications. A county has discretion to reduce or waive permit fees for a religious organization that is hosting the homeless;

(d) Specifically limits a religious organization's availability to host an outdoor encampment on its property or property controlled by the religious organization to fewer than six months during any calendar year. However, a county may enact an ordinance or regulation that requires a separation of time of no more than three months between subsequent or established outdoor encampments at a particular site;

(e) Specifically limits a religious organization's outdoor encampment hosting term to fewer than four consecutive months;

(f) Limits the number of simultaneous religious organization outdoor encampment hostings within the same municipality

during any given period of time. Simultaneous and adjacent hostings of outdoor encampments by religious organizations may be limited if located within one thousand feet of another outdoor encampment concurrently hosted by a religious organization;

(g) Limits a religious organization's availability to host safe parking efforts at its on-site parking lot, including limitations on any other congregationally sponsored uses and the parking available to support such uses during the hosting, except for limitations that are in accord with the following criteria that would govern if enacted by local ordinance or memorandum of understanding between the host religious organization and the jurisdiction:

(i) No less than one space may be devoted to safe parking per ten on-site parking spaces;

(ii) Restroom access must be provided either within the buildings on the property or through use of portable facilities, with the provision for proper disposal of waste if recreational vehicles are hosted; and

(iii) Religious organizations providing spaces for safe parking must continue to abide by any existing on-site parking minimum requirement so that the provision of safe parking spaces does not reduce the total number of available parking spaces below the minimum number of spaces required by the county, but a county may enter into a memorandum of understanding with a religious organization that reduces the minimum number of on-site parking spaces required;

(h) Limits a religious organization's availability to host an indoor overnight shelter in spaces with at least two accessible exits due to lack of sprinklers or other fire-related concerns, except that:

(i) If a county fire official finds that fire-related concerns associated with an indoor overnight shelter pose an imminent danger to persons within the shelter, the county may take action to limit the religious organization's availability to host the indoor overnight shelter; and

(ii) A county may require a host religious organization to enter into a memorandum of understanding for fire safety that includes local fire district inspections, an outline for appropriate emergency procedures, a determination of the most viable means to evacuate occupants from inside the host site with appropriate illuminated exit signage, panic bar exit doors, and a completed fire watch agreement indicating:

(A) Posted safe means of egress;

(B) Operable smoke detectors, carbon monoxide detectors as necessary, and fire extinguishers;

(C) A plan for monitors who spend the night awake and are familiar with emergency protocols, who have suitable communication devices, and who know how to contact the local fire department; or

(i) Limits a religious organization's ability to host temporary small houses on land owned or controlled by the religious organization, except for recommendations that are in accord with the following criteria:

(i) A renewable one-year duration agreed to by the host religious organization and local jurisdiction via a memorandum of understanding;

(ii) Maintaining a maximum unit square footage of one hundred twenty square feet, with units set at least six feet apart;

(iii) Electricity and heat, if provided, must be inspected by the local jurisdiction;

(iv) Space heaters, if provided, must be approved by the local fire authority;

(v) Doors and windows must be included and be lockable, with a recommendation that the managing agency and host religious organization also possess keys;

(vi) Each unit must have a fire extinguisher;

(vii) Adequate restrooms must be provided, including restrooms solely for families if present, along with handwashing and potable running water to be available if not provided within the individual units, including accommodating black water;

(viii) A recommendation for the host religious organization to partner with regional homeless service providers to develop pathways to permanent housing.

(3)(a) A county may enact an ordinance or regulation or take any other action that requires a host religious organization and a distinct managing agency using the religious organization's property, owned or controlled by the religious organization, for hostings to include outdoor encampments, temporary small houses on-site, indoor overnight shelters, or vehicle resident safe parking to enter into a memorandum of understanding to protect the public health and safety of both the residents of the particular hosting and the residents of the county.

(b) At a minimum, the agreement must include information regarding: The right of a resident in an outdoor encampment, vehicle resident safe parking, temporary small house on-site, or indoor overnight shelter to seek public health and safety assistance, the resident's ability to access social services on-site, and the resident's ability to directly interact with the host religious organization, including the ability to express any concerns regarding the managing agency to the religious organization; a written code of conduct agreed to by the managing agency, if any, host religious organization, and all volunteers working with residents of the outdoor encampment, temporary small house on-site, indoor overnight shelter, or vehicle resident safe parking; and when a publicly funded managing agency exists, the ability for the host religious organization to interact with residents of the outdoor encampment, indoor overnight shelter, temporary small house on-site, or vehicle resident safe parking using a release of information.

(4) If required to do so by the county, any host religious organization performing any hosting of an outdoor encampment, vehicle resident safe parking, or indoor overnight shelter, or the host religious organization's managing agency, must ensure that the county or local law enforcement agency has completed sex offender checks of all adult residents and guests. The host religious organization retains the authority to allow such offenders to remain on the property. A host religious organization or host religious organization's managing agency performing any hosting of vehicle resident safe parking must inform vehicle residents how to comply with laws regarding the legal status of vehicles and drivers, and provide a written code of conduct consistent with area standards.

(5) Any host religious organization performing any hosting of an outdoor encampment, vehicle resident safe parking, temporary small house on-site, or indoor overnight shelter, with a publicly funded managing agency, must work with the county to utilize Washington's homeless client management information system, as provided for in RCW 43.185C.180. When the religious organization does not partner with a managing agency, the religious organization is encouraged to partner with a local homeless services provider using the Washington homeless client managing information system. Any managing agency receiving any funding from local continuum of care programs must utilize the homeless client management information system. Temporary, overnight, extreme weather shelter provided in religious organization buildings does not need to meet this requirement.

(6) For the purposes of this section((7)):

(a) "Managing agency" means an organization such as a religious organization or other organized entity that has the capacity to organize and manage a homeless outdoor encampment, temporary small houses on-site, indoor overnight shelter, and a vehicle resident safe parking program.

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

(b) "Outdoor encampment" means any temporary tent or structure encampment, or both.

(c) "Religious organization" means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property.

(d) "Temporary" means not affixed to land permanently and not using underground utilities.

((4)) (7)(a) Subsection (2) of this section does not affect a county policy, ordinance, memorandum of understanding, or applicable consent decree that regulates religious organizations' hosting of the homeless if such policies, ordinances, memoranda of understanding, or consent decrees:

(i) Exist prior to the effective date of this section;

(ii) Do not categorically prohibit the hosting of the homeless by religious organizations; and

(iii) Have not been previously ruled by a court to violate the religious land use and institutionalized persons act, 42 U.S.C. Sec. 2000cc.

(b) If such policies, ordinances, memoranda of understanding, and consent decrees are amended after the effective date of this section, those amendments are not affected by subsection (2) of this section if those amendments satisfy (a)(ii) and (iii) of this subsection.

(8) An appointed or elected public official, public employee, or public agency as defined in RCW 4.24.470 is immune from civil liability for (a) damages arising from the permitting decisions for a temporary encampment for the homeless as provided in this section and (b) any conduct or unlawful activity that may occur as a result of the temporary encampment for the homeless as provided in this section.

(9) A religious organization hosting outdoor encampments, vehicle resident safe parking, or indoor overnight shelters for the homeless that receives funds from any government agency may not refuse to host any resident or prospective resident because of age, sex, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, as these terms are defined in RCW 49.60.040.

(10)(a) Prior to the opening of an outdoor encampment, indoor overnight shelter, temporary small house on-site, or vehicle resident safe parking, a religious organization hosting the homeless on property owned or controlled by the religious organization must host a meeting open to the public for the purpose of providing a forum for discussion of related neighborhood concerns, unless the use is in response to a declared emergency. The religious organization must provide written notice of the meeting to the county legislative authority at least one week if possible but no later than ninety-six hours prior to the meeting. The notice must specify the time, place, and purpose of the meeting.

(b) A county must provide community notice of the meeting described in (a) of this subsection by taking at least two of the following actions at any time prior to the time of the meeting:

(i) Delivering to each local newspaper of general circulation and local radio or television station that has on file with the governing body a written request to be notified of special meetings;

(ii) Posting on the county's web site. A county is not required to post a special meeting notice on its web site if it: (A) Does not have a web site; (B) employs fewer than ten full-time equivalent employees; or (C) does not employ personnel whose duty, as defined by a job description or existing contract, is to maintain or update the web site;

(iii) Prominently displaying, on signage at least two feet in height and two feet in width, one or more meeting notices that can be placed on or adjacent to the main arterials in proximity to the location of the meeting; or

(iv) Prominently displaying the notice at the meeting site.

Sec. 3. RCW 35.21.915 and 2010 c 175 s 3 are each amended to read as follows:

(1) A religious organization may host ~~((temporary encampments for))~~ the homeless on property owned or controlled by the religious organization whether within buildings located on the property or elsewhere on the property outside of buildings.

(2) Except as provided in subsection (7) of this section, a city or town may not enact an ordinance or regulation or take any other action that:

(a) Imposes conditions other than those necessary to protect public health and safety and that do not substantially burden the decisions or actions of a religious organization regarding the location of housing or shelter, such as an outdoor encampment, indoor overnight shelter, temporary small house on-site, or vehicle resident safe parking, for homeless persons on property owned or controlled by the religious organization;

(b) Requires a religious organization to obtain insurance pertaining to the liability of a municipality with respect to homeless persons housed on property owned by a religious organization or otherwise requires the religious organization to indemnify the municipality against such liability; ~~((or))~~

(c) Imposes permit fees in excess of the actual costs associated with the review and approval of ~~((the required))~~ permit applications. A city or town has discretion to reduce or waive permit fees for a religious organization that is hosting the homeless;

(d) Specifically limits a religious organization's availability to host an outdoor encampment on its property or property controlled by the religious organization to fewer than six months during any calendar year. However, a city or town may enact an ordinance or regulation that requires a separation of time of no more than three months between subsequent or established outdoor encampments at a particular site;

(e) Specifically limits a religious organization's outdoor encampment hosting term to fewer than four consecutive months;

(f) Limits the number of simultaneous religious organization outdoor encampment hostings within the same municipality during any given period of time. Simultaneous and adjacent hostings of outdoor encampments by religious organizations may be limited if located within one thousand feet of another outdoor encampment concurrently hosted by a religious organization;

(g) Limits a religious organization's availability to host safe parking efforts at its on-site parking lot, including limitations on any other congregationally sponsored uses and the parking available to support such uses during the hosting, except for limitations that are in accord with the following criteria that would govern if enacted by local ordinance or memorandum of understanding between the host religious organization and the jurisdiction:

(i) No less than one space may be devoted to safe parking per ten on-site parking spaces;

(ii) Restroom access must be provided either within the buildings on the property or through use of portable facilities, with the provision for proper disposal of waste if recreational vehicles are hosted; and

(iii) Religious organizations providing spaces for safe parking must continue to abide by any existing on-site parking minimum requirement so that the provision of safe parking spaces does not reduce the total number of available parking spaces below the minimum number of spaces required by the city or town, but a

city or town may enter into a memorandum of understanding with a religious organization that reduces the minimum number of on-site parking spaces required;

(h) Limits a religious organization's availability to host an indoor overnight shelter in spaces with at least two accessible exits due to lack of sprinklers or other fire-related concerns, except that:

(i) If a city or town fire official finds that fire-related concerns associated with an indoor overnight shelter pose an imminent danger to persons within the shelter, the city or town may take action to limit the religious organization's availability to host the indoor overnight shelter; and

(ii) A city or town may require a host religious organization to enter into a memorandum of understanding for fire safety that includes local fire district inspections, an outline for appropriate emergency procedures, a determination of the most viable means to evacuate occupants from inside the host site with appropriate illuminated exit signage, panic bar exit doors, and a completed fire watch agreement indicating:

(A) Posted safe means of egress;

(B) Operable smoke detectors, carbon monoxide detectors as necessary, and fire extinguishers;

(C) A plan for monitors who spend the night awake and are familiar with emergency protocols, who have suitable communication devices, and who know how to contact the local fire department; or

(i) Limits a religious organization's ability to host temporary small houses on land owned or controlled by the religious organization, except for recommendations that are in accord with the following criteria:

(i) A renewable one-year duration agreed to by the host religious organization and local jurisdiction via a memorandum of understanding;

(ii) Maintaining a maximum unit square footage of one hundred twenty square feet, with units set at least six feet apart;

(iii) Electricity and heat, if provided, must be inspected by the local jurisdiction;

(iv) Space heaters, if provided, must be approved by the local fire authority;

(v) Doors and windows must be included and be lockable, with a recommendation that the managing agency and host religious organization also possess keys;

(vi) Each unit must have a fire extinguisher;

(vii) Adequate restrooms must be provided, including restrooms solely for families if present, along with handwashing and potable running water to be available if not provided within the individual units, including accommodating black water;

(viii) A recommendation for the host religious organization to partner with regional homeless service providers to develop pathways to permanent housing.

(3)(a) A city or town may enact an ordinance or regulation or take any other action that requires a host religious organization and a distinct managing agency using the religious organization's property, owned or controlled by the religious organization, for hostings to include outdoor encampments, temporary small houses on-site, indoor overnight shelters, or vehicle resident safe parking to enter into a memorandum of understanding to protect the public health and safety of both the residents of the particular hosting and the residents of the city or town.

(b) At a minimum, the agreement must include information regarding: The right of a resident in an outdoor encampment, vehicle resident safe parking, temporary small house on-site, or indoor overnight shelter to seek public health and safety assistance, the resident's ability to access social services on-site, and the resident's ability to directly interact with the host religious organization, including the ability to express any concerns

regarding the managing agency to the religious organization; a written code of conduct agreed to by the managing agency, if any, host religious organization, and all volunteers working with residents of the outdoor encampment, temporary small house on-site, indoor overnight shelter, or vehicle resident safe parking; and when a publicly funded managing agency exists, the ability for the host religious organization to interact with residents of the outdoor encampment, indoor overnight shelter, temporary small house on-site, or vehicle resident safe parking using a release of information.

(4) If required to do so by a city or town, any host religious organization performing any hosting of an outdoor encampment, vehicle resident safe parking, or indoor overnight shelter, or the host religious organization's managing agency, must ensure that the city or town or local law enforcement agency has completed sex offender checks of all adult residents and guests. The host religious organization retains the authority to allow such offenders to remain on the property. A host religious organization or host religious organization's managing agency performing any hosting of vehicle resident safe parking must inform vehicle residents how to comply with laws regarding the legal status of vehicles and drivers, and provide a written code of conduct consistent with area standards.

(5) Any host religious organization performing any hosting of an outdoor encampment, vehicle resident safe parking, temporary small house on-site, or indoor overnight shelter, with a publicly funded managing agency, must work with the city or town to utilize Washington's homeless client management information system, as provided for in RCW 43.185C.180. When the religious organization does not partner with a managing agency, the religious organization is encouraged to partner with a local homeless services provider using the Washington homeless client managing information system. Any managing agency receiving any funding from local continuum of care programs must utilize the homeless client management information system. Temporary, overnight, extreme weather shelter provided in religious organization buildings does not need to meet this requirement.

(6) For the purposes of this section(6):

(a) "Managing agency" means an organization such as a religious organization or other organized entity that has the capacity to organize and manage a homeless outdoor encampment, temporary small houses on-site, indoor overnight shelter, and a vehicle resident safe parking program.

(b) "Outdoor encampment" means any temporary tent or structure encampment, or both.

(c) "Religious organization" means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property.

(d) "Temporary" means not affixed to land permanently and not using underground utilities.

((4)) (7)(a) Subsection (2) of this section does not affect a city or town policy, ordinance, memorandum of understanding, or applicable consent decree that regulates religious organizations' hosting of the homeless if such policies, ordinances, memoranda of understanding, or consent decrees:

(i) Exist prior to the effective date of this section;

(ii) Do not categorically prohibit the hosting of the homeless by religious organizations; and

(iii) Have not been previously ruled by a court to violate the religious land use and institutionalized persons act, 42 U.S.C. Sec. 2000cc.

(b) If such policies, ordinances, memoranda of understanding, and consent decrees are amended after the effective date of this section, those amendments are not affected by subsection (2) of this section if those amendments satisfy (a)(ii) and (iii) of this subsection.

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

(8) An appointed or elected public official, public employee, or public agency as defined in RCW 4.24.470 is immune from civil liability for (a) damages arising from the permitting decisions for a temporary encampment for the homeless as provided in this section and (b) any conduct or unlawful activity that may occur as a result of the temporary encampment for the homeless as provided in this section.

(9) A religious organization hosting outdoor encampments, vehicle resident safe parking, or indoor overnight shelters for the homeless that receives funds from any government agency may not refuse to host any resident or prospective resident because of age, sex, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, as these terms are defined in RCW 49.60.040.

(10)(a) Prior to the opening of an outdoor encampment, indoor overnight shelter, temporary small house on-site, or vehicle resident safe parking, a religious organization hosting the homeless on property owned or controlled by the religious organization must host a meeting open to the public for the purpose of providing a forum for discussion of related neighborhood concerns, unless the use is in response to a declared emergency. The religious organization must provide written notice of the meeting to the city or town legislative authority at least one week if possible but no later than ninety-six hours prior to the meeting. The notice must specify the time, place, and purpose of the meeting.

(b) A city or town must provide community notice of the meeting described in (a) of this subsection by taking at least two of the following actions at any time prior to the time of the meeting:

(i) Delivering to each local newspaper of general circulation and local radio or television station that has on file with the governing body a written request to be notified of special meetings;

(ii) Posting on the city or town's web site. A city or town is not required to post a special meeting notice on its web site if it: (A) Does not have a web site; (B) employs fewer than ten full-time equivalent employees; or (C) does not employ personnel whose duty, as defined by a job description or existing contract, is to maintain or update the web site;

(iii) Prominently displaying, on signage at least two feet in height and two feet in width, one or more meeting notices that can be placed on or adjacent to the main arterials in proximity to the location of the meeting; or

(iv) Prominently displaying the notice at the meeting site.

Sec. 4. RCW 35A.21.360 and 2010 c 175 s 4 are each amended to read as follows:

(1) A religious organization may host ~~((temporary encampments for))~~ the homeless on property owned or controlled by the religious organization whether within buildings located on the property or elsewhere on the property outside of buildings.

(2) Except as provided in subsection (7) of this section, a code city may not enact an ordinance or regulation or take any other action that:

(a) Imposes conditions other than those necessary to protect public health and safety and that do not substantially burden the decisions or actions of a religious organization regarding the location of housing or shelter, such as an outdoor encampment, indoor overnight shelter, temporary small house on-site, or vehicle resident safe parking, for homeless persons on property owned or controlled by the religious organization;

(b) Requires a religious organization to obtain insurance pertaining to the liability of a municipality with respect to

homeless persons housed on property owned by a religious organization or otherwise requires the religious organization to indemnify the municipality against such liability; ~~((or))~~

(c) Imposes permit fees in excess of the actual costs associated with the review and approval of ~~((the required))~~ permit applications. A code city has discretion to reduce or waive permit fees for a religious organization that is hosting the homeless;

(d) Specifically limits a religious organization's availability to host an outdoor encampment on its property or property controlled by the religious organization to fewer than six months during any calendar year. However, a code city may enact an ordinance or regulation that requires a separation of time of no more than three months between subsequent or established outdoor encampments at a particular site;

(e) Specifically limits a religious organization's outdoor encampment hosting term to fewer than four consecutive months;

(f) Limits the number of simultaneous religious organization outdoor encampment hostings within the same municipality during any given period of time. Simultaneous and adjacent hostings of outdoor encampments by religious organizations may be limited if located within one thousand feet of another outdoor encampment concurrently hosted by a religious organization;

(g) Limits a religious organization's availability to host safe parking efforts at its on-site parking lot, including limitations on any other congregationally sponsored uses and the parking available to support such uses during the hosting, except for limitations that are in accord with the following criteria that would govern if enacted by local ordinance or memorandum of understanding between the host religious organization and the jurisdiction:

(i) No less than one space may be devoted to safe parking per ten on-site parking spaces;

(ii) Restroom access must be provided either within the buildings on the property or through use of portable facilities, with the provision for proper disposal of waste if recreational vehicles are hosted; and

(iii) Religious organizations providing spaces for safe parking must continue to abide by any existing on-site parking minimum requirement so that the provision of safe parking spaces does not reduce the total number of available parking spaces below the minimum number of spaces required by the code city, but a code city may enter into a memorandum of understanding with a religious organization that reduces the minimum number of on-site parking spaces required;

(h) Limits a religious organization's availability to host an indoor overnight shelter in spaces with at least two accessible exits due to lack of sprinklers or other fire-related concerns, except that:

(i) If a code city fire official finds that fire-related concerns associated with an indoor overnight shelter pose an imminent danger to persons within the shelter, the code city may take action to limit the religious organization's availability to host the indoor overnight shelter; and

(ii) A code city may require a host religious organization to enter into a memorandum of understanding for fire safety that includes local fire district inspections, an outline for appropriate emergency procedures, a determination of the most viable means to evacuate occupants from inside the host site with appropriate illuminated exit signage, panic bar exit doors, and a completed fire watch agreement indicating:

(A) Posted safe means of egress;

(B) Operable smoke detectors, carbon monoxide detectors as necessary, and fire extinguishers;

(C) A plan for monitors who spend the night awake and are familiar with emergency protocols, who have suitable

communication devices, and who know how to contact the local fire department; or

(i) Limits a religious organization's ability to host temporary small houses on land owned or controlled by the religious organization, except for recommendations that are in accord with the following criteria:

(i) A renewable one-year duration agreed to by the host religious organization and local jurisdiction via a memorandum of understanding;

(ii) Maintaining a maximum unit square footage of one hundred twenty square feet, with units set at least six feet apart;

(iii) Electricity and heat, if provided, must be inspected by the local jurisdiction;

(iv) Space heaters, if provided, must be approved by the local fire authority;

(v) Doors and windows must be included and be lockable, with a recommendation that the managing agency and host religious organization also possess keys;

(vi) Each unit must have a fire extinguisher;

(vii) Adequate restrooms must be provided, including restrooms solely for families if present, along with handwashing and potable running water to be available if not provided within the individual units, including accommodating black water;

(viii) A recommendation for the host religious organization to partner with regional homeless service providers to develop pathways to permanent housing.

(3)(a) A code city may enact an ordinance or regulation or take any other action that requires a host religious organization and a distinct managing agency using the religious organization's property, owned or controlled by the religious organization, for hostings to include outdoor encampments, temporary small houses on-site, indoor overnight shelters, or vehicle resident safe parking to enter into a memorandum of understanding to protect the public health and safety of both the residents of the particular hosting and the residents of the code city.

(b) At a minimum, the agreement must include information regarding: The right of a resident in an outdoor encampment, vehicle resident safe parking, temporary small house on-site, or indoor overnight shelter to seek public health and safety assistance, the resident's ability to access social services on-site, and the resident's ability to directly interact with the host religious organization, including the ability to express any concerns regarding the managing agency to the religious organization; a written code of conduct agreed to by the managing agency, if any, host religious organization, and all volunteers working with residents of the outdoor encampment, temporary small house on-site, indoor overnight shelter, or vehicle resident safe parking; and when a publicly funded managing agency exists, the ability for the host religious organization to interact with residents of the outdoor encampment, indoor overnight shelter, temporary small house on-site, or vehicle resident safe parking using a release of information.

(4) If required to do so by a code city, any host religious organization performing any hosting of an outdoor encampment, vehicle resident safe parking, or indoor overnight shelter, or the host religious organization's managing agency, must ensure that the code city or local law enforcement agency has completed sex offender checks of all adult residents and guests. The host religious organization retains the authority to allow such offenders to remain on the property. A host religious organization or host religious organization's managing agency performing any hosting of vehicle resident safe parking must inform vehicle residents how to comply with laws regarding the legal status of vehicles and drivers, and provide a written code of conduct consistent with area standards.

(5) Any host religious organization performing any hosting of an outdoor encampment, vehicle resident safe parking, temporary small house on-site, or indoor overnight shelter, with a publicly funded managing agency, must work with the code city to utilize Washington's homeless client management information system, as provided for in RCW 43.185C.180. When the religious organization does not partner with a managing agency, the religious organization is encouraged to partner with a local homeless services provider using the Washington homeless client managing information system. Any managing agency receiving any funding from local continuum of care programs must utilize the homeless client management information system. Temporary, overnight, extreme weather shelter provided in religious organization buildings does not need to meet this requirement.

(6) For the purposes of this section(7):

(a) "Managing agency" means an organization such as a religious organization or other organized entity that has the capacity to organize and manage a homeless outdoor encampment, temporary small houses on-site, indoor overnight shelter, and a vehicle resident safe parking program.

(b) "Outdoor encampment" means any temporary tent or structure encampment, or both.

(c) "Religious organization" means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property.

(d) "Temporary" means not affixed to land permanently and not using underground utilities.

((4)) (7)(a) Subsection (2) of this section does not affect a code city policy, ordinance, memorandum of understanding, or applicable consent decree that regulates religious organizations' hosting of the homeless if such policies, ordinances, memoranda of understanding, or consent decrees:

(i) Exist prior to the effective date of this section;

(ii) Do not categorically prohibit the hosting of the homeless by religious organizations; and

(iii) Have not been previously ruled by a court to violate the religious land use and institutionalized persons act, 42 U.S.C. Sec. 2000cc.

(b) If such policies, ordinances, memoranda of understanding, and consent decrees are amended after the effective date of this section, those amendments are not affected by subsection (2) of this section if those amendments satisfy (a)(ii) and (iii) of this subsection.

(8) An appointed or elected public official, public employee, or public agency as defined in RCW 4.24.470 is immune from civil liability for (a) damages arising from the permitting decisions for a temporary encampment for the homeless as provided in this section and (b) any conduct or unlawful activity that may occur as a result of the temporary encampment for the homeless as provided in this section.

(9) A religious organization hosting outdoor encampments, vehicle resident safe parking, or indoor overnight shelters for the homeless that receives funds from any government agency may not refuse to host any resident or prospective resident because of age, sex, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, as these terms are defined in RCW 49.60.040.

(10)(a) Prior to the opening of an outdoor encampment, indoor overnight shelter, temporary small house on-site, or vehicle resident safe parking, a religious organization hosting the homeless on property owned or controlled by the religious organization must host a meeting open to the public for the purpose of providing a forum for discussion of related neighborhood concerns, unless the use is in response to a declared

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

emergency. The religious organization must provide written notice of the meeting to the code city legislative authority at least one week if possible but no later than ninety-six hours prior to the meeting. The notice must specify the time, place, and purpose of the meeting.

(b) A code city must provide community notice of the meeting described in (a) of this subsection by taking at least two of the following actions at any time prior to the time of the meeting:

(i) Delivering to each local newspaper of general circulation and local radio or television station that has on file with the governing body a written request to be notified of special meetings;

(ii) Posting on the code city's web site. A code city is not required to post a special meeting notice on its web site if it: (A) Does not have a web site; (B) employs fewer than ten full-time equivalent employees; or (C) does not employ personnel whose duty, as defined by a job description or existing contract, is to maintain or update the web site;

(iii) Prominently displaying, on signage at least two feet in height and two feet in width, one or more meeting notices that can be placed on or adjacent to the main arterials in proximity to the location of the meeting; or

(iv) Prominently displaying the notice at the meeting site."

On page 1, line 2 of the title, after "organizations;" strike the remainder of the title and insert "amending RCW 36.01.290, 35.21.915, and 35A.21.360; and creating a new section."

MOTION

Senator Fortunato moved that the following floor amendment no. 1236 by Senator Fortunato be adopted:

On page 4, line 36, after "county," insert "Such ordinances or regulations may also include prohibitions or restrictions on the use of alcohol or illegal drugs during such hostings on the property of the host religious organization."

On page 10, line 29, after "town," insert "Such ordinances or regulations may also include prohibitions or restrictions on the use of alcohol or illegal drugs during such hostings on the property of the host religious organization."

On page 16, line 22, after "city," insert "Such ordinances or regulations may also include prohibitions or restrictions on the use of alcohol or illegal drugs during such hostings on the property of the host religious organization."

Senator Fortunato spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Kuderer spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1236 by Senator Fortunato on page 4, line 36 to Engrossed Substitute House Bill No. 1754.

The motion by Senator Fortunato did not carry and floor amendment no. 1236 was not 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 Housing Stability & Affordability to Engrossed Substitute House Bill No. 1754.

The motion by Senator Kuderer carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Engrossed Substitute House Bill No. 1754 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 Kuderer and Zeiger spoke in favor of passage of the bill.

Senator Ericksen 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. 1754 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1754 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 42; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Braun, Ericksen, Honeyford, Schoesler, Sheldon, Short and Wagoner

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1754 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. 2040, by Representative MacEwen

Concerning nonhigh school districts.

The measure was read the second time.

MOTION

Senator Wellman moved that the following committee striking amendment by the Committee on Early Learning & K-12 Education be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28A.545.030 and 2017 3rd sp.s. c 13 s 1001 are each amended to read as follows:

The purposes of RCW 28A.545.030 through 28A.545.110 and 84.52.0531 are to:

(1) Simplify the annual process of determining and paying the amounts due by nonhigh school districts to high school districts for educating students residing in a nonhigh school district;

(2) Provide for a payment schedule that coincides to the extent practicable with the ability of nonhigh school districts to pay and the need of high school districts for payment; (~~and~~)

(3) Establish that the maximum amount due per annual average full-time equivalent student by a nonhigh school district for each school year is (~~no greater than~~) the lesser of:

(a) The enrichment levy rate per annual average full-time equivalent student levied upon the taxpayers of the high school district; or

(b) The enrichment levy rate per annual average full-time equivalent student levied upon the taxpayers of the nonhigh school district;

(4) If the nonhigh school district has not levied an enrichment levy during the current school year, then the amount due per annual average full-time equivalent student by the nonhigh school district is the enrichment levy rate per annual average full-time equivalent student levied upon the taxpayers of the high school district; and

(5) Designate the revenue provided to secondary school buildings to ensure dollars are being spent to support secondary school students.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.545 RCW to read as follows:

Upon a nonhigh school district's request, a host high school district shall provide an annual data report to the nonhigh school district within sixty days of the request. The report must include attendance, grades, discipline, and state assessment data for all nonhigh secondary students sent to the high school district.

Sec. 3. RCW 28A.545.070 and 2017 3rd sp.s. c 13 s 1002 are each amended to read as follows:

(1) The superintendent of public instruction shall annually determine the estimated amount due by a nonhigh school district to a high school district for the school year as follows:

(a) The total of the high school district's enrichment levy or nonhigh school district's enrichment levy, as determined under RCW 28A.545.030(3), that has been authorized and determined by the superintendent of public instruction to be allowable pursuant to RCW 84.52.0531, as now or hereafter amended, for collection during the next calendar year, shall first be divided by the total estimated number of annual average full-time equivalent students which ~~((the high school district))~~ that district's superintendent or the superintendent of public instruction has certified pursuant to RCW 28A.545.060 will be enrolled in ~~((the high school))~~ that district during the school year;

(b) The result of the calculation provided for in subsection (1)(a) of this section shall then be multiplied by the estimated number of annual average full-time equivalent students residing in the nonhigh school district that will be enrolled in the high school district during the school year which has been established pursuant to RCW 28A.545.060; and

(c) The result of the calculation provided for in subsection (1)(b) of this section shall be adjusted upward to the extent the estimated amount due by a nonhigh school district for the prior school year was less than the actual amount due based upon actual annual average full-time equivalent student enrollments during the previous school year and the actual per annual average full-time equivalent student enrichment levy rate for the current tax collection year, ~~((of the high school district,))~~ or adjusted downward to the extent the estimated amount due was greater than such actual amount due or greater than such lesser amount as a high school district may have elected to assess pursuant to RCW 28A.545.090.

(2) The amount arrived at pursuant to subsection (1)(c) of this subsection shall constitute the estimated amount due by a nonhigh school district to a high school district for the school year."

On page 1, line 2 of the title, after "districts;" strike the remainder of the title and insert "amending RCW 28A.545.030 and 28A.545.070; and adding a new section to chapter 28A.545 RCW."

Correct the title.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Early Learning & K-12 Education to Engrossed House Bill No. 2040.

The motion by Senator Wellman carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed House Bill No. 2040 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 Wellman, Hawkins and Sheldon 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. 2040 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2040 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 Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

ENGROSSED HOUSE BILL NO. 2040 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

SENATE BILL NO. 6534, by Senator Cleveland

Creating an ambulance transport quality assurance fee.

MOTION

On motion of Senator Cleveland, 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 Mullet moved that the following floor amendment no. 1147 by Senator Mullet be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The purpose of this chapter is to provide for a quality assurance fee for specified providers of emergency ambulance services as referenced in 42 C.F.R. Sec. 433.56, which will be used to add on to base funding from all other sources, thereby supporting additional medicaid payments to nonpublic and nonfederal providers of emergency ambulance services as specified in this chapter.

(2) The legislature finds that the payments to private emergency ambulance service providers for transports for medicaid recipients have not been increased since 2004, resulting

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

in a loss for carriers who provide this service. This has resulted in the shifting of cost of medicaid transports to other payers.

(3) In adopting this chapter, it is the intent of the legislature:

(a) To impose an ambulance quality assurance fee to be used solely for the purposes specified in this chapter;

(b) To generate approximately twenty-two million dollars per state fiscal biennium in new state and federal funds by disbursing all of that amount to pay for medicaid emergency ambulance services, except costs of administration as specified in this chapter, in the form of additional payments to ambulance transport providers subject to the fee, which may not be a substitute for payments from other sources;

(c) Beginning July 1, 2021, to generate an amount equal to one-third of the annual quality assurance fee rate collection amount exclusive of any federal matching funds, to be used in lieu of state general fund payments for medicaid emergency ambulance services;

(d) That the total amount assessed not exceed the amount needed, in combination with all other available funds, to support the payments authorized by this chapter; and

(e) To condition the assessment on receiving federal approval for receipt of additional federal financial participation and on continuation of other funding sufficient to maintain aggregate payment levels to ambulance transport providers subject to the fee for emergency ambulance services covered by medicaid at least at the rates the state paid for those services on July 1, 2020, as adjusted for current enrollment and utilization.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Ambulance transport provider subject to the fee" means an ambulance transport provider that is licensed under RCW 18.73.130 that bills and receives patient care revenue from the provision of ambulance transports. "Ambulance transport provider subject to the fee" does not include a provider that is owned or operated by the state, cities, counties, fire protection districts, regional fire protection service authorities, port districts, public hospital districts, community services districts, health care districts, federally recognized Indian tribes, or any unit of government as defined in 42 C.F.R. Sec. 433.50.

(2) "Annual quality assurance fee rate" means the quality assurance fee per emergency ambulance transport during each applicable state fiscal year assessed on each ambulance transport provider subject to the fee.

(3) "Authority" means the Washington state health care authority.

(4) "Available fee amount" means the sum of the following:

(a) The amount deposited in the ambulance transport fund established under section 3 of this act during the applicable state fiscal year, less the amounts described in section 3(3)(a) of this act; and

(b) Any federal financial participation obtained as a result of the deposit of the amount described in this subsection, for the applicable state fiscal year.

(5) "Effective state medical assistance percentage" means a ratio of the aggregate expenditures from state-only sources for medicaid divided by the aggregate expenditures from state and federal sources for medicaid for a state fiscal year.

(6) "Emergency ambulance transport" means the act of transporting an individual by use of an ambulance during which a client receives needed emergency medical services en route to an appropriate medical facility. "Emergency ambulance transport" does not include transportation of beneficiaries by passenger cars, taxicabs, litter vans, wheelchair vans, or other forms of public or private conveyances, nor does it include

transportation by an air ambulance provider. An "emergency ambulance transport" does not occur when, following evaluation of a patient, a transport is not provided.

(7) "Fee-for-service payment schedule" means the payment rates to ambulance transport providers for emergency ambulance transports by the authority without the inclusion of the add-on described in section 6 of this act.

(8) "Gross receipts" means the total amount of payments received as patient care revenue for emergency ambulance transports, determined on a cash basis of accounting. "Gross receipts" includes all payments received as patient care revenue for emergency ambulance transports from medicaid, medicare, commercial insurance, and all other payers as payment for services rendered.

(9) "Medicaid" means the medical assistance program and the state children's health insurance program as established in Title XIX and Title XXI of the social security act, respectively, and as administered in the state of Washington by the authority.

(10) "Program" means the ambulance quality assurance fee program established in this chapter.

NEW SECTION. Sec. 3. (1) A dedicated fund is hereby established within the state treasury to be known as the ambulance transport fund. The purpose and use of the fund shall be to receive and disburse funds, together with accrued interest, in accordance with this chapter. Moneys in the fund, including interest earned, shall not be used or disbursed for any purposes other than those specified in this chapter. Any amounts expended from the fund that are later recouped by the authority on audit or otherwise shall be returned to the fund. Moneys in the account may be spent only after appropriation.

(2) The quality assurance fees collected by the authority pursuant to section 5 of this act must be deposited in the ambulance transport fund.

(3) Disbursements from the fund may be made only:

(a) To pay for the authority's staffing and administrative costs directly attributable to administering this chapter, not to exceed five percent of the annual quality assurance fee rate collection amount, exclusive of any federal matching funds;

(b) To make increased payments to ambulance transport providers subject to the fee pursuant to section 6 of this act;

(c) To refund erroneous or excessive payments made by hospitals pursuant to this chapter; and

(d) Beginning July 1, 2021, for an amount equal to one-third of the annual quality assurance fee rate collection amount exclusive of any federal matching funds, to be used in lieu of state general fund payments for medicaid emergency ambulance services, provided that if the full amount of the payments required under section 6 of this act cannot be distributed in a given fiscal year, this amount must be reduced proportionately.

NEW SECTION. Sec. 4. (1) Each ambulance transport provider subject to the fee must report to the authority the number of emergency ambulance transports by payer type and the annual gross receipts for the state fiscal year ending June 30, 2020, pursuant to form and timing required by the authority. The authority shall establish the timing for such reporting to occur on or after August 15, 2020.

(2) Each ambulance transport provider subject to the fee must report to the authority the number of emergency ambulance transports by payer type for each state fiscal quarter commencing with the state fiscal quarter ending September 30, 2020, pursuant to form and timing required by the authority. The authority shall establish the timing for such reporting to occur on or after the forty-fifth day after the end of each applicable state fiscal quarter.

(3) Each ambulance transport provider subject to the fee must report to the authority the annual gross receipts for each state

fiscal year commencing with the state fiscal year ending June 30, 2021, pursuant to form and timing required by the authority. The authority shall establish the timing for such reporting to occur on or after the forty-fifth day after the end of each applicable state fiscal year.

(4) The authority may require a certification by each ambulance transport provider subject to the fee under penalty of perjury of the truth of the reports required under this section. Upon written notice to an ambulance transport provider, the authority may impose a civil penalty of one hundred dollars per day against an ambulance transport provider for every day that an ambulance transport provider fails to make a report required by this section within five days of the date upon which the report was due. Any funds resulting from a penalty imposed pursuant to this subsection shall be deposited in the ambulance transport fund established in section 3 of this act.

NEW SECTION. Sec. 5. (1) Beginning July 1, 2021, and annually thereafter, the authority shall assess each ambulance transport provider subject to the fee, a quality assurance fee. Each ambulance transport provider subject to the fee must pay the quality assurance fee on a quarterly basis. The quarterly quality assurance fee payment shall be based on the annual quality assurance fee rate for the applicable state fiscal year multiplied by the number of emergency ambulance transports provided by the ambulance transport provider subject to the fee in the second quarter preceding the state fiscal quarter for which the fee is assessed.

(2) Beginning July 1, 2021, the annual quality assurance fee rate shall be calculated by multiplying the projected total annual gross receipts for all ambulance transport providers subject to the fee by five and one-half percent, which resulting product shall be divided by the projected total annual emergency ambulance transports by all ambulance transport providers subject to the fee for the state fiscal year.

(3) For each state fiscal year for which the quality assurance fee is assessed, the authority shall send each ambulance transport provider subject to the fee an assessment notice no later than thirty days prior to the beginning of the applicable state fiscal quarter. For each state fiscal quarter for which the quality assurance fee is assessed, the authority shall send to each ambulance transport provider subject to the fee an invoice of the quarterly quality assurance fee payment due for the quarter no later than thirty days before the payment is due. For each state fiscal quarter for which the quality assurance fee is assessed, the ambulance transport provider subject to the fee shall remit payment to the authority by the date established by the authority, which shall be no earlier than fifteen days after the beginning of the applicable state fiscal quarter.

(4)(a) Interest shall be assessed on quality assurance fees not paid on the date due at the rate and in the manner provided in RCW 43.20B.695. Interest shall be deposited in the ambulance transport fund established in section 3 of this act.

(b) In the event that any fee payment is more than sixty days overdue, the authority may deduct the unpaid fee and interest owed from any medicaid reimbursement payments owed to the ambulance transport provider until the full amount of the fee, interest, and any penalties assessed under this chapter are recovered. Any deduction made pursuant to this subsection shall be made only after the authority gives the ambulance transport provider written notification. Any deduction made pursuant to this subsection may be deducted over a period of time that takes into account the financial condition of the ambulance transport provider.

(c) In the event that any fee payment is more than sixty days overdue, a penalty equal to the interest charge described in (a) of this subsection shall be assessed and due for each month for

which the payment is not received after sixty days. Any funds resulting from a penalty imposed pursuant to this subsection shall be deposited into the ambulance transport fund established in section 3 of this act.

(d) The authority may waive a portion or all of either the interest or penalties, or both, assessed under this chapter in the event the authority determines, in its sole discretion, that the ambulance transport provider has demonstrated that imposition of the full amount of the quality assurance fee pursuant to the timelines applicable under this chapter has a high likelihood of creating an undue financial hardship for the provider. Waiver of some or all of the interest or penalties pursuant to this subsection shall be conditioned on the ambulance transport provider's agreement to make fee payments on an alternative schedule developed by the authority.

(5) The authority shall accept an ambulance transport provider's payment even if the payment is submitted in a rate year subsequent to the rate year in which the fee was assessed.

(6) In the event of a merger, acquisition, or similar transaction involving an ambulance transport provider that has outstanding quality assurance fee payment obligations pursuant to this chapter, including any interest and penalty amounts owed, the resultant or successor ambulance transport provider shall be responsible for paying to the authority the full amount of outstanding quality assurance fee payments, including any applicable interest and penalties, attributable to the ambulance transport provider for which it was assessed, upon the effective date of such transaction. An entity considering a merger, acquisition, or similar transaction involving an ambulance transport provider may submit a request to the authority to ascertain the outstanding quality assurance fee payment obligations of the ambulance transport provider pursuant to this chapter as of the date of the authority's response to that request.

NEW SECTION. Sec. 6. (1) Beginning July 1, 2021, and for each state fiscal year thereafter, reimbursement for emergency ambulance transports provided by ambulance transport providers subject to the fee shall be increased by application of an add-on to the associated medicaid fee-for-service payment schedule. The add-on increase to the fee-for-service payment schedule shall result in a total reimbursement per emergency ambulance transport that is at least sixty percent of the statewide average medicaid rate for an emergency ambulance transport or similar service.

(2) The increased payments required by this section shall be funded solely from the following:

(a) The quality assurance fee set forth in section 5 of this act, along with any interest or other investment income earned on those funds; and

(b) Federal reimbursement and any other related federal funds.

(3) The proceeds of the quality assurance fee set forth in section 5 of this act, the matching amount provided by the federal government, and any interest earned on those proceeds shall be used to supplement, and not to supplant, existing funding for emergency ambulance transports provided by ambulance transport providers subject to the fee.

(4) Notwithstanding any provision of this chapter, the authority may seek federal approval to implement any add-on increase to the fee-for-service payment schedule pursuant to this section for any state fiscal year or years, as applicable, on a time-limited basis for a fixed program period, as determined by the authority.

NEW SECTION. Sec. 7. The authority may adopt rules to implement this chapter.

NEW SECTION. Sec. 8. (1)(a) The authority shall request any approval from the federal centers for medicaid and medicaid services it determines are necessary for the use of fees pursuant

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

to this chapter and for the purpose of receiving associated federal matching funds.

(b) This chapter shall be implemented only to the extent that any necessary federal approvals are obtained and federal financial participation is available. The quality assurance fee pursuant to section 5 of this act shall only be assessed and collected for quarters in which the add-on pursuant to section 6 of this act is paid.

(2) The authority may modify or make adjustments to any methodology, fee amount, or other provision specified in this chapter to the extent necessary to meet the requirements of federal law or regulations or to obtain federal approval.

NEW SECTION. Sec. 9. If there is a delay in the implementation of this chapter for any reason, including a delay in any required approval of the quality assurance fee and reimbursement methodology specified by the federal centers for medicare and medicaid services, the following shall apply:

(1) An ambulance transport provider subject to the fee may be assessed the amount the provider would be required to pay to the authority if the add-on increase to the fee-for-service payment schedule described in section 6 of this act were already approved, but shall not be required to pay the fee until the add-on increase to the fee-for-service payment schedule described in section 6 of this act is approved. The authority shall establish a schedule for payment of retroactive fees pursuant to this subsection in consultation with ambulance transport providers subject to the fee to minimize the disruption to the cash flow of ambulance transport providers subject to the fee.

(2) The authority may retroactively implement the add-on increase to the fee-for-service payment schedule pursuant to section 6 of this act to the extent the authority determines that federal financial participation is available.

NEW SECTION. Sec. 10. (1) The assessment, collection, and disbursement of funds under this chapter shall be conditional upon:

(a) The federal centers for medicare and medicaid services not determining that the quality assurance fee revenues may not be used for the purposes set forth in this chapter;

(b) The state not reducing its fee-for-service payment schedule for emergency ambulance transports provided by ambulance transport providers subject to the fee;

(c) The state not delegating responsibility to pay for emergency ambulance transports to a managed care organization, prepaid inpatient health plan, or prepaid ambulatory health plan, as those terms are defined in 42 C.F.R. Sec. 438.2;

(d) Federal financial participation being available and not otherwise jeopardized; and

(e) The program not prohibiting, diminishing, or harming the ground emergency medical transportation services reimbursement program described in RCW 41.05.730.

(2) This chapter ceases to be operative on the first day of the state fiscal year beginning on or after the date one or more of the following conditions is satisfied:

(a) The federal centers for medicare and medicaid services no longer allows the collection or use of the ambulance transport provider assessment provided in this chapter;

(b) The increase to the medicaid payments described in section 6 of this act no longer remains in effect;

(c) The quality assurance fee assessed and collected pursuant to this chapter is no longer available for the purposes specified in this chapter;

(d) A final judicial determination made by any state or federal court that is not appealed, or by a court of appellate jurisdiction that is not further appealed, in any action by any party, or a final determination by the administrator of the federal centers for

medicare and medicaid services that is not appealed, that federal financial participation is not available with respect to any payment made under the methodology implemented pursuant to this chapter;

(e) The state reduces its fee-for-service payment schedule for emergency ambulance transports provided by ambulance transport providers subject to the fee;

(f) The state delegates responsibility to pay for emergency ambulance transports to a managed care organization, prepaid inpatient health plan, or prepaid ambulatory health plan, as those terms are defined in 42 C.F.R. Sec. 438.2; and

(g) The program prohibiting, diminishing, or harming the ground emergency medical transportation services reimbursement program described in RCW 41.05.730.

(3) In the event one or more of the conditions listed in subsection (2) of this section is satisfied, the authority shall notify, in writing and as soon as practicable, the secretary of state, the secretary of the senate, the chief clerk of the house of representatives, the appropriate fiscal and policy committees of the legislature, and the code reviser's office of the condition and the approximate date or dates that it occurred. The authority shall post the notice on the authority's web site.

(4)(a) Notwithstanding any other law, in the event this chapter becomes inoperative pursuant to subsection (2) of this section, the authority shall be authorized to conduct all appropriate close-out activities and implement applicable provisions of this chapter for prior state fiscal years during which this chapter was operative including, but not limited to, the collection of outstanding quality assurance fees pursuant to section 5 of this act and payments associated with any add-on increase to the medicaid fee-for-service payment schedule pursuant to section 6 of this act. During this close-out period, the full amount of the quality assurance fee assessed and collected remains available only for the purposes specified in this chapter.

(b) Upon a determination by the authority that all appropriate close-out and implementation activities pursuant to (a) of this subsection have been completed, the authority shall notify, in writing, the secretary of state, the secretary of the senate, the chief clerk of the house of representatives, the appropriate fiscal and policy committees of the legislature, and the code reviser's office of that determination. This chapter shall expire as of the effective date of the notification issued by the authority pursuant to this subsection.

Sec. 11. RCW 43.84.092 and 2019 c 421 s 15, 2019 c 403 s 14, 2019 c 365 s 19, 2019 c 287 s 19, and 2019 c 95 s 6 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 abandoned recreational vehicle disposal account, the aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the ambulance transport fund, 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 licensing tuition recovery trust fund, 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 early learning facilities development account, the early learning facilities revolving account, the Eastern Washington University capital projects account, the education construction fund, the education legacy trust account, the election account, the electric vehicle 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 state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the hospital safety net assessment fund, the industrial insurance premium refund account, the Interstate 405 and state route number 167 express toll lanes 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 pollution liability insurance agency underground storage tank revolving 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 Gateway facility 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 sexual assault prevention and response account, 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 statewide broadband account, the statewide tourism marketing account, the student achievement council tuition recovery trust fund, 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 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 voluntary cleanup account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the vulnerable roadway user education account, 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.

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

(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. 12. Sections 1 through 10 and 13 of this act constitute a new chapter in Title 74 RCW.

NEW SECTION. Sec. 13. This act expires July 1, 2024.

NEW SECTION. Sec. 14. 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 "fee;" strike the remainder of the title and insert "reenacting and amending RCW 43.84.092; adding a new chapter to Title 74 RCW; prescribing penalties; providing an expiration date; and declaring an emergency."

The President declared the question before the Senate to be the adoption of floor amendment no. 1147 by Senator Mullet to Substitute Senate Bill No. 6534.

The motion by Senator Mullet carried and floor amendment no. 1147 was adopted by voice vote.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed 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 Cleveland, O'Ban 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. 6534.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed 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 Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

ENGROSSED 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.

MOTION

At 5:30 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

EVENING SESSION

The Senate was called to order at 8:03 p.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kuderer moved that Skylee Sahlstrom, Senate Gubernatorial Appointment No. 9151, be confirmed as a member of the Human Rights Commission.

Senator Kuderer spoke in favor of the motion.

APPOINTMENT OF SKYLEE SAHLSTROM

The President declared the question before the Senate to be the confirmation of Skylee Sahlstrom, Senate Gubernatorial Appointment No. 9151, as a member of the Human Rights Commission.

The Secretary called the roll on the confirmation of Skylee Sahlstrom, Senate Gubernatorial Appointment No. 9151, as a member of the Human Rights Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senator Sheldon

Skylee Sahlstrom, Senate Gubernatorial Appointment No. 9151, having received the constitutional majority was declared confirmed as a member of the Human Rights Commission.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2551, by House Committee on State Government & Tribal Relations (originally sponsored by Lekanoff, Ramel, Rude, Leavitt, Valdez, Davis, Doglio, Walen, Pollet, Macri, Ormsby and Santos)

Permitting students to wear traditional tribal regalia and objects of cultural significance at graduation ceremonies and related events.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Substitute House Bill No. 2551 was advanced to third

reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman, Hawkins and Billig 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. 2551.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2551 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Ericksen

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2551, having received the 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. 2527, by House Committee on State Government & Tribal Relations (originally sponsored by Ramos, Kilduff, Gregerson, Valdez, Slatter, Ortiz-Self, Tarleton, Davis, Doglio, Callan, Ramel, Pollet, Hudgins, Ormsby and Santos)

Concerning the rights of Washingtonians during the United States census.

The measure was read the second time.

MOTION

Senator Hunt moved that the following committee striking amendment by the Committee on State Government, Tribal Relations & Elections be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.62 RCW to read as follows:

(1) It is the intent of the legislature to affirm that every Washingtonian has the right and obligation to participate in the federal decennial census freely and without fear of fraud, intimidation, or harm, and to inform the public of these rights.

(2) The legislature affirms the rights of Washingtonians to all of the following, to be known as the Washington census bill of rights and responsibilities:

(a) To participate in the federal decennial census free of threat or intimidation;

(b) To the confidentiality of the information provided in the census form, as provided by federal law;

(c) To respond to the census by means made available to the respondent, either by phone, by mail, online, or in person;

(d) To request language assistance in accordance with federal law; and

(e) To verify the identity of a census worker.

(3) The secretary of state shall translate the Washington census bill of rights and responsibilities into languages other than English, consistent with the federal voting rights act of 1965, 52 U.S.C. Sec. 10503.

(4) The office of financial management shall make the Washington census bill of rights and responsibilities available on its internet web site and available for inclusion on city and county census internet web sites and census questionnaire assistance center internet web sites.

NEW SECTION. Sec. 2. A new section is added to chapter 9A.60 RCW to read as follows:

(1) A person is guilty of impersonating a census taker if the person falsely represents that he or she is a census taker with the intent to:

(a) Interfere with the operation of the census;

(b) Obtain information; or

(c) Obtain consent to enter a private dwelling.

(2) Impersonating a census taker is a gross misdemeanor.

NEW SECTION. Sec. 3. A new section is added to chapter 19.86 RCW to read as follows:

Mailing materials with the intent to deceive a person into believing that the material is an official census communication, interfere with the operation of the census, or discourage a person from participating in the census constitutes an unfair or deceptive practice under this chapter.

NEW SECTION. Sec. 4. 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 2 of the title, after "census;" strike the remainder of the title and insert "adding a new section to chapter 43.62 RCW; adding a new section to chapter 9A.60 RCW; adding a new section to chapter 19.86 RCW; prescribing penalties; and declaring an emergency."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on State Government, Tribal Relations & Elections to Substitute House Bill No. 2527.

The motion by Senator Hunt carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, Substitute House Bill No. 2527 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 Hunt spoke in favor of passage of the bill.

Senator Zeiger spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2527 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2527 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen,

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

Randall, Rolfes, Saldaña, Salomon, Sheldon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

SUBSTITUTE HOUSE BILL NO. 2527 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. 1660, by House Committee on Education (originally sponsored by Bergquist, Harris, Hudgins, Young, Tarleton, Ybarra, Slatter, Santos, Jinkins, Doglio, Fey, Leavitt, Ormsby and Valdez)

Concerning the participation of students who are low income in extracurricular activities.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Third Substitute House Bill No. 1660 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman, Hawkins and Mullet spoke in favor of passage of the bill.

Senator Honeyford 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. 1660.

ROLL CALL

The Secretary called the roll on the final passage of Third Substitute House Bill No. 1660 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Ericksen, Honeyford, Muzzall, Schoesler, Short and Wilson, L.

THIRD SUBSTITUTE HOUSE BILL NO. 1660, having received the 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. 2837, by Representatives Boehnke and Hudgins

Expanding powers granted to state historical societies.

The measure was read the second time.

MOTION

On motion of Senator Kuderer, the rules were suspended, House Bill No. 2837 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and Zeiger 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. 2837.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2837 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

HOUSE BILL NO. 2837, having received the 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. 2576, by House Committee on Public Safety (originally sponsored by Ortiz-Self, Gregerson, Doglio, Pettigrew, Santos, Peterson, Lekanoff, Ryu, Pollet, Valdez, Thai, Macri, Fitzgibbon, Dolan, Davis, J. Johnson, Walen, Frame, Ormsby and Riccelli)

Concerning private detention facilities.

The measure was read the second time.

MOTION

On motion of Senator Saldaña, the rules were suspended, Engrossed Substitute House Bill No. 2576 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña 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 Substitute House Bill No. 2576.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2576 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2576, having received the 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. 2402, by Representatives Hudgins, Gregerson and Wylie

Streamlining legislative operations by repealing and amending selected statutory committees.

The measure was read the second time.

MOTION

Senator Hunt moved that the following committee striking amendment by the Committee on State Government, Tribal Relations & Elections be adopted:

Strike everything after the enacting clause and insert the following:

"PART I

REPEAL OF SELECTED STATUTORY COMMITTEES

NEW SECTION. Sec. 1. The following acts or parts of acts are each repealed:

(1)RCW 28A.657.130 (Education accountability system oversight committee—Membership—Duties—Reports) and 2013 c 159 s 13;

(2)RCW 28B.95.170 (Legislative advisory committee) and 2011 1st sp.s. c 12 s 6;

(3)RCW 44.55.010 (Findings—Intent) and 2003 c 404 s 1;

(4)RCW 44.55.020 (Committee membership) and 2003 c 404 s 2;

(5)RCW 44.55.030 (Chair—Officers—Rules) and 2003 c 404 s 3;

(6)RCW 44.55.040 (Powers, duties) and 2003 c 404 s 4;

(7)RCW 44.55.050 (Staff support) and 2003 c 404 s 5;

(8)RCW 44.55.060 (Compensation) and 2003 c 404 s 6;

(9)RCW 44.68.020 (Committee created—Members, terms, vacancies, officers, rules) and 1993 c 332 s 1 & 1986 c 61 s 2; and

(10)RCW 44.68.035 (Administration) and 2001 c 259 s 16.

PART II

RELATED AMENDMENTS

Sec. 2. RCW 28A.175.075 and 2018 c 58 s 31 are each amended to read as follows:

(1) The office of the superintendent of public instruction shall establish a state-level ~~((building bridges work group that includes))~~ advisory committee to be known as the graduation: a team effort partnership advisory committee. The advisory committee shall include K-12 and state agencies that work with youth who have dropped out or are at risk of dropping out of school. The following agencies shall appoint representatives to the ~~((work group))~~ advisory committee: The office of the superintendent of public instruction, the workforce training and education coordinating board, the department of children, youth, and families, the employment security department, the state board for community and technical colleges, the department of health, the community mobilization office, and the children's services and behavioral health and recovery divisions of the department of

social and health services. The ~~((work group should))~~ advisory committee shall also consist of one representative from each of the following agencies and organizations: A statewide organization representing career and technical education programs including skill centers; the juvenile courts or the office of juvenile justice, or both; the Washington association of prosecuting attorneys; the Washington state office of public defense; accredited institutions of higher education; the educational service districts; the area workforce development councils; parent and educator associations; educational opportunity gap oversight and accountability committee; office of the education ombuds; local school districts; agencies or organizations that provide services to special education students; community organizations serving youth; federally recognized tribes and urban tribal centers; each of the major political caucuses of the senate and house of representatives; and the minority commissions.

(2) To assist and enhance the work of the ~~((building bridges))~~ programs established in RCW 28A.175.025, the ~~((state level work group))~~ advisory committee shall:

(a) Identify and make recommendations to the legislature for the reduction of fiscal, legal, and regulatory barriers that prevent coordination of program resources across agencies at the state and local level;

(b) Develop and track performance measures and benchmarks for each partner agency or organization across the state including performance measures and benchmarks based on student characteristics and outcomes specified in RCW 28A.175.035(1)(e); and

(c) Identify research-based and emerging best practices regarding prevention, intervention, and retrieval programs.

(3)~~((a))~~ The ~~((work group))~~ advisory committee shall report to the appropriate committees of the legislature and the governor on an annual basis beginning December 1, 2007, with proposed strategies for building K-12 dropout prevention, intervention, and reengagement systems in local communities throughout the state including, but not limited to, recommendations for implementing emerging best practices, needed additional resources, and eliminating barriers.

~~((b) By September 15, 2010, the work group shall report on:~~

~~((i) A recommended state goal and annual state targets for the percentage of students graduating from high school;~~

~~((ii) A recommended state goal and annual state targets for the percentage of youth who have dropped out of school who should be reengaged in education and be college and work ready;~~

~~((iii) Recommended funding for supporting career guidance and the planning and implementation of K-12 dropout prevention, intervention, and reengagement systems in school districts and a plan for phasing the funding into the program of basic education, beginning in the 2011-2013 biennium; and~~

~~((iv) A plan for phasing in the expansion of the current school improvement planning program to include state funded, dropout-focused school improvement technical assistance for school districts in significant need of improvement regarding high school graduation rates.))~~

(4) State agencies in the ~~((building bridges work group))~~ advisory committee shall work together, wherever feasible, on the following activities to support school/family/community partnerships engaged in building K-12 dropout prevention, intervention, and reengagement systems:

(a) Providing opportunities for coordination and flexibility of program eligibility and funding criteria;

(b) Providing joint funding;

(c) Developing protocols and templates for model agreements on sharing records and data;

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

(d) Providing joint professional development opportunities that provide knowledge and training on:

- (i) Research-based and promising practices;
- (ii) The availability of programs and services for vulnerable youth; and
- (iii) Cultural competence.

~~((5) The building bridges work group shall make recommendations to the governor and the legislature by December 1, 2010, on a state level and regional infrastructure for coordinating services for vulnerable youth. Recommendations must address the following issues:~~

- ~~(a) Whether to adopt an official conceptual approach or framework for all entities working with vulnerable youth that can support coordinated planning and evaluation;~~
- ~~(b) The creation of a performance-based management system, including outcomes, indicators, and performance measures relating to vulnerable youth and programs serving them, including accountability for the dropout issue;~~
- ~~(c) The development of regional and/or county level multipartner youth consortia with a specific charge to assist school districts and local communities in building K-12 comprehensive dropout prevention, intervention, and reengagement systems;~~
- ~~(d) The development of integrated or school based one-stop shopping for services that would:~~
 - ~~(i) Provide individualized attention to the neediest youth and prioritized access to services for students identified by a dropout early warning and intervention data system;~~
 - ~~(ii) Establish protocols for coordinating data and services, including getting data release at time of intake and common assessment and referral processes; and~~
 - ~~(iii) Build a system of single case managers across agencies;~~
- ~~(e) Launching a statewide media campaign on increasing the high school graduation rate; and~~
- ~~(f) Developing a statewide database of available services for vulnerable youth.)~~

Sec. 3. RCW 28A.657.100 and 2013 c 159 s 10 are each amended to read as follows:

(1) The superintendent of public instruction must provide a report twice per year to the state board of education regarding the progress made by all school districts designated as required action districts.

(2) The superintendent of public instruction must recommend to the state board of education that a school district be released from the designation as a required action district after the district implements a required action plan for a period of three years; has made progress, as defined by the superintendent of public instruction using the criteria adopted under RCW 28A.657.020 including progress in closing the educational opportunity gap; and no longer has a school within the district identified as persistently lowest-achieving. The state board shall release a school district from the designation as a required action district upon confirmation that the district has met the requirements for a release.

(3) If the state board of education determines that the required action district has not met the requirements for release after at least three years of implementing a required action plan, the board may recommend that the district remain in required action and submit a new or revised plan under the process in RCW 28A.657.050, or the board may direct that the school district be assigned to level two of the required action process as provided in RCW 28A.657.105. If the required action district received a federal school improvement grant for the same persistently lowest-achieving school in 2010 or 2011, the board may direct that the school district be assigned to level two of the required

action process after one year of implementing a required action plan under this chapter if the district is not making progress. ~~((Before making a determination of whether to recommend that a school district that is not making progress remain in required action or be assigned to level two of the required action process, the state board of education must submit its findings to the education accountability system oversight committee under RCW 28A.657.130 and provide an opportunity for the oversight committee to review and comment.))~~

Sec. 4. RCW 28B.15.067 and 2015 3rd sp.s. c 36 s 3 are each amended to read as follows:

(1) Tuition fees shall be established under the provisions of this chapter.

(2) ~~((Beginning in the 2011-12 academic year and through the 2014-15 academic year, reductions or increases in full-time tuition fees shall be as provided in the omnibus appropriations act for resident undergraduate students at community and technical colleges.~~

~~(3)(a) In the 2015-16 and 2016-17 academic years, tuition operating fees for resident undergraduates at community and technical colleges excluding applied baccalaureate degrees as defined in RCW 28B.50.030, shall be five percent less than the 2014-15 academic year tuition operating fee.~~

~~(b) Beginning in the 2017-18 academic year, tuition operating fees for resident undergraduates at ((community and technical colleges)) institutions of higher education as defined in RCW 28B.10.016, excluding applied baccalaureate degrees as defined in RCW 28B.50.030, may increase by no more than the average annual percentage growth rate in the median hourly wage for Washington for the previous fourteen years as the wage is determined by the federal bureau of labor statistics.~~

~~((4)) (3) The governing boards of the state universities, regional universities, and The Evergreen State College; and the state board for community and technical colleges may reduce or increase full-time tuition fees for all students other than resident undergraduates, including nonresident students, summer school students, and students in other self-supporting degree programs. Percentage increases in full-time tuition may exceed the fiscal growth factor. Except during the 2013-2015 fiscal biennium, the state board for community and technical colleges may pilot or institute differential tuition models. The board may define scale, scope, and rationale for the models.~~

~~((5)(a) Beginning with the 2011-12 academic year and through the end of the 2014-15 academic year, the governing boards of the state universities, the regional universities, and The Evergreen State College may reduce or increase full-time tuition fees for all students, including summer school students and students in other self-supporting degree programs. Percentage increases in full-time tuition fees may exceed the fiscal growth factor. Reductions or increases may be made for all or portions of an institution's programs, campuses, courses, or students; however, during the 2013-2015 fiscal biennium, reductions or increases in tuition must be uniform among resident undergraduate students.~~

~~(b) Prior to reducing or increasing tuition for each academic year, the governing boards of the state universities, the regional universities, and The Evergreen State College shall consult with existing student associations or organizations with student undergraduate and graduate representatives regarding the impacts of potential tuition increases. Each governing board shall make public its proposal for tuition and fee increases twenty-one days before the governing board of the institution considers adoption and allow opportunity for public comment. However, the requirement to make public a proposal for tuition and fee increases twenty-one days before the governing board considers adoption shall not apply if the omnibus appropriations act has not~~

passed the legislature by May 15th. Governing boards shall be required to provide data regarding the percentage of students receiving financial aid, the sources of aid, and the percentage of total costs of attendance paid for by aid.

~~(e) Prior to reducing or increasing tuition for each academic year, the state board for community and technical college system shall consult with existing student associations or organizations with undergraduate student representation regarding the impacts of potential tuition increases. The state board for community and technical colleges shall provide data regarding the percentage of students receiving financial aid, the sources of aid, and the percentage of total costs of attendance paid for by aid.~~

~~(6)(a) In the 2015-16 academic year, full-time tuition operating fees for resident undergraduates for state universities, regional universities, The Evergreen State College, and applied baccalaureate degrees as defined in RCW 28B.50.030 shall be five percent less than the 2014-15 academic year tuition operating fee.~~

~~(b) Beginning with the 2016-17 academic year, full-time tuition operating fees for resident undergraduates for:~~

~~(i) State universities shall be fifteen percent less than the 2014-15 academic year tuition operating fee; and~~

~~(ii) Regional universities, The Evergreen State College, and applied baccalaureate degrees as defined in RCW 28B.50.030 shall be twenty percent less than the 2014-15 academic year tuition operating fee.~~

~~(e) Beginning with the 2017-18 academic year, full-time tuition operating fees for resident undergraduates in (b) of this subsection may increase by no more than the average annual percentage growth rate in the median hourly wage for Washington for the previous fourteen years as the wage is determined by the federal bureau of labor statistics.~~

~~(7)) (4) The tuition fees established under this chapter shall not apply to high school students enrolling in participating institutions of higher education under RCW 28A.600.300 through 28A.600.400.~~

~~((8)) (5) The tuition fees established under this chapter shall not apply to eligible students enrolling in a dropout reengagement program through an interlocal agreement between a school district and a community or technical college under RCW 28A.175.100 through 28A.175.110.~~

~~((9) The legislative advisory committee to the committee on advanced tuition payment established in RCW 28B.95.170 shall:~~

~~(a) Review the impact of differential tuition rates on the funded status and future unit price of the Washington advanced college tuition payment program; and~~

~~(b) No later than January 14, 2013, make a recommendation to the appropriate policy and fiscal committees of the legislature regarding how differential tuition should be addressed in order to maintain the ongoing solvency of the Washington advanced college tuition payment program.~~

~~(10)) (6) As a result of any changes in tuition under section 3, chapter 36, Laws of 2015 3rd sp. sess., the governing boards of the state universities, the regional universities, and The Evergreen State College shall not reduce resident undergraduate enrollment below the 2014-15 academic year levels.~~

Sec. 5. RCW 43.15.020 and 2017 3rd sp.s. c 6 s 814 are each amended to read as follows:

The lieutenant governor serves as president of the senate and is responsible for making appointments to, and serving on, the committees and boards as set forth in this section.

(1) The lieutenant governor serves on the following boards and committees:

(a) Capitol furnishings preservation committee, RCW 27.48.040;

(b) Washington higher education facilities authority, RCW 28B.07.030;

(c) Productivity board, also known as the employee involvement and recognition board, RCW 41.60.015;

(d) State finance committee, RCW 43.33.010;

(e) State capitol committee, RCW 43.34.010;

(f) Washington health care facilities authority, RCW 70.37.030;

(g) State medal of merit nominating committee, RCW 1.40.020;

(h) Medal of valor committee, RCW 1.60.020; and

(i) ~~((Association of Washington generals))~~ Washington state leadership board, RCW 43.15.030.

(2) The lieutenant governor, and when serving as president of the senate, appoints members to the following boards and committees:

(a) Civil legal aid oversight committee, RCW 2.53.010;

(b) Office of public defense advisory committee, RCW 2.70.030;

(c) Washington state gambling commission, RCW 9.46.040;

(d) Sentencing guidelines commission, RCW 9.94A.860;

(e) State building code council, RCW 19.27.070;

(f) Financial education public-private partnership, RCW 28A.300.450;

(g) Joint administrative rules review committee, RCW 34.05.610;

(h) Capital projects advisory review board, RCW 39.10.220;

(i) Select committee on pension policy, RCW 41.04.276;

(j) Legislative ethics board, RCW 42.52.310;

(k) Washington citizens' commission on salaries, RCW 43.03.305;

(l) Legislative oral history committee, RCW 44.04.325;

(m) State council on aging, RCW 43.20A.685;

(n) State investment board, RCW 43.33A.020;

(o) Capitol campus design advisory committee, RCW 43.34.080;

(p) Washington state arts commission, RCW 43.46.015;

(q) PNWER-Net working subgroup under chapter 43.147 RCW;

(r) Community economic revitalization board, RCW 43.160.030;

(s) Washington economic development finance authority, RCW 43.163.020;

(t) ~~((Life sciences discovery fund authority, RCW 43.350.020;~~

~~((u))~~ Joint legislative audit and review committee, RCW 44.28.010;

~~((v))~~ (u) Joint committee on energy supply and energy conservation, RCW 44.39.015;

~~((w))~~ (v) Legislative evaluation and accountability program committee, RCW 44.48.010;

~~((x) Agency council on coordinated transportation, RCW 47.06B.020;~~

~~((y))~~ (w) Washington horse racing commission, RCW 67.16.014;

~~((z))~~ (x) Correctional industries board of directors, RCW 72.09.080;

~~((aa))~~ (y) Joint committee on veterans' and military affairs, RCW 73.04.150;

~~((bb))~~ (z) Joint legislative committee on water supply during drought, RCW 90.86.020; and

~~((cc))~~ (aa) Statute law committee, RCW 1.08.001(~~(and~~ ~~((dd) Joint legislative oversight committee on trade policy, RCW 44.55.020)).~~

Sec. 6. RCW 43.216.572 and 2016 c 57 s 1 are each amended to read as follows:

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

For the purposes of implementing this chapter, the governor shall appoint a state ~~((birth to three))~~ interagency coordinating council for infants and toddlers with disabilities and their families 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. 7. RCW 43.216.574 and 2016 c 57 s 2 are each amended to read as follows:

The state ~~((birth to three))~~ interagency coordinating council for infants and toddlers with disabilities and their families 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. 8. RCW 44.04.325 and 2008 c 222 s 4 are each amended to read as follows:

(1) A legislative oral history committee is created, which shall consist of the following individuals:

(a) Four members of the house of representatives, two from each of the two largest caucuses of the house, appointed by the speaker of the house of representatives;

(b) Four members of the senate, two from each of the two largest caucuses of the senate, appointed by the president of the senate;

(c) The chief clerk of the house of representatives; and
(d) The secretary of the senate.

(2) Ex officio members may be appointed by a majority vote of the committee's members appointed under subsection (1) of this section.

(3) The chair of the committee shall be elected by a majority vote of the committee members appointed under subsection (1) of this section.

(4) Staff support for the committee must be provided by the office of the secretary of the senate and the office of the chief clerk of the house of representatives.

Sec. 9. RCW 44.68.010 and 2007 c 18 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) "Administrative committee" means the joint legislative systems administrative committee created under RCW 44.68.030.

(2) "Center" means the legislative service center established under RCW 44.68.060.

(3) "Coordinator" means the legislative systems coordinator employed under RCW 44.68.040.

~~((4) "Systems committee" means the joint legislative systems committee created under RCW 44.68.020.))~~

Sec. 10. RCW 44.68.040 and 2007 c 18 s 3 are each amended to read as follows:

Subject to RCW 44.04.260:

(1) The ~~((systems committee, after consultation with the))~~ administrative committee~~((;))~~ shall employ a legislative systems coordinator. The coordinator shall serve at the pleasure of the ~~((systems))~~ administrative committee, which shall fix the coordinator's salary.

(2)(a) The coordinator shall serve as the executive and administrative head of the center, and shall assist the administrative committee in managing the information processing and communications systems of the legislature as directed by the administrative committee;

(b) In accordance with an adopted personnel plan, the coordinator shall employ or engage and fix the compensation for personnel required to carry out the purposes of this chapter;

(c) The coordinator shall enter into contracts for: (i) The sale, exchange, or acquisition of equipment, supplies, services, and facilities required to carry out the purposes of this chapter; and (ii) the distribution of legislative information.

Sec. 11. RCW 44.68.050 and 2007 c 18 s 4 are each amended to read as follows:

The administrative committee shall, ~~((subject to the approval of the systems committee and))~~ subject to RCW 44.04.260:

(1) Adopt policies, procedures, and standards regarding the information processing and communications systems of the legislature;

(2) Establish appropriate charges for services, equipment, and publications provided by the legislative information processing and communications systems, applicable to legislative and nonlegislative users as determined by the administrative committee;

(3) Adopt a compensation plan for personnel required to carry out the purposes of this chapter; and

(4) Approve strategic and tactical information technology plans and provide guidance in operational matters required to carry out (a) the purposes of this chapter; and (b) the distribution of legislative information~~((;~~

~~((5) Generally assist the systems committee in carrying out its responsibilities under this chapter, as directed by the systems committee)).~~

Sec. 12. RCW 44.68.060 and 2007 c 18 s 5 are each amended to read as follows:

(1) The administrative committee~~((, subject to the approval of the systems committee,))~~ shall establish a legislative service center. The center shall provide automatic data processing services, equipment, training, and support to the legislature and legislative agencies. The center may also, by agreement, provide services to agencies of the judicial and executive branches of state government and other governmental entities, and provide public access to legislative information. All operations of the center shall be subject to the general supervision of the administrative committee in accordance with the policies, procedures, and standards established under RCW 44.68.050.

(2) Except as provided otherwise in subsection (3) of this section, determinations regarding the security, disclosure, and disposition of information placed or maintained in the center shall rest solely with the originator and shall be made in accordance with any law regulating the disclosure of such information. The originator is the person who directly places information in the center.

(3) When utilizing the center to carry out the bill drafting functions required under RCW 1.08.027, the code reviser shall be considered the originator as defined in ~~((RCW 44.68.060))~~ this section. However, determinations regarding the security, disclosure, and disposition of drafts placed or maintained in the center shall be made by the person requesting the code reviser's services and the code reviser, acting as the originator, shall

comply with and carry out such determinations as directed by that person. A measure once introduced shall not be considered a draft under this subsection.

Sec. 13. RCW 44.68.065 and 2015 3rd sp.s. c 1 s 411 are each amended to read as follows:

The legislative service center, under the direction of ~~((the joint legislative systems committee and))~~ the joint legislative systems administrative committee, shall:

- (1) Develop a legislative information technology portfolio consistent with the provisions of RCW 43.105.341;
- (2) Participate in the development of an enterprise-based statewide information technology strategy;
- (3) Ensure the legislative information technology portfolio is organized and structured to clearly indicate participation in and use of enterprise-wide information technology strategies;
- (4) As part of the biennial budget process, submit the legislative information technology portfolio to the chair and ranking member of the ways and means committees of the house of representatives and the senate, the office of financial management, and the consolidated technology services agency.

Sec. 14. RCW 44.68.085 and 2007 c 18 s 6 are each amended to read as follows:

Subject to RCW 44.04.260, all expenses incurred, including salaries and expenses of employees, shall be paid upon voucher forms as provided and signed by the coordinator. Vouchers may be drawn on funds appropriated by law for the ~~((systems committee,))~~ administrative committee~~((;))~~ and center: PROVIDED, That the senate, house of representatives, and code reviser may authorize the ~~((systems committee,))~~ administrative committee~~((;))~~ and center to draw on funds appropriated by the legislature for related information technology expenses. The senate and house of representatives may transfer moneys appropriated for legislative expenses to the ~~((systems committee,))~~ administrative committee~~((;))~~ and center, in addition to charges made under RCW 44.68.050(2).

Sec. 15. RCW 44.68.090 and 1986 c 61 s 9 are each amended to read as follows:

Members ~~((of the systems committee and))~~ of the administrative committee shall be reimbursed for travel expenses under RCW 44.04.120 or 43.03.050 and 43.03.060, as appropriate, while attending meetings of their respective committees or on other official business authorized by their respective committees.

Sec. 16. RCW 44.68.100 and 1996 c 171 s 4 are each amended to read as follows:

The legislature and legislative agencies through the ~~((joint legislative systems))~~ administrative committee, shall:

- (1) Continue to plan for and implement processes for making legislative information available electronically;
- (2) Promote and facilitate electronic access to the public of legislative information and services;
- (3) Establish technical standards for such services;
- (4) Consider electronic public access needs when planning new information systems or major upgrades of information systems;
- (5) Develop processes to determine which legislative information the public most wants and needs;
- (6) Increase capabilities to receive information electronically from the public and transmit forms, applications and other communications and transactions electronically;
- (7) Use technologies that allow continuous access twenty-four hours a day, seven days per week, involve little or no cost to access, and are capable of being used by persons without extensive technology ability; and
- (8) Consider and incorporate wherever possible ease of access to electronic technologies by persons with disabilities.

Sec. 17. RCW 44.68.105 and 2007 c 18 s 7 are each amended to read as follows:

The ~~((systems committee,))~~ administrative committee~~((;))~~ and center are hereby expressly exempted from the provisions of chapter 43.105 RCW.

Sec. 18. RCW 43.15.030 and 2018 c 67 s 1 are each amended to read as follows:

(1) The ~~((association of Washington generals))~~ Washington state leadership board is organized as a private, nonprofit, nonpartisan corporation in accordance with chapter 24.03 RCW and this section.

(2) The purpose of the ~~((association of Washington generals))~~ Washington state leadership board is to:

- (a) Provide the state a means of extending formal recognition for an individual's outstanding services to the state;
- (b) Bring together those individuals to serve the state as ambassadors of trade, tourism, and international goodwill; and
- (c) Expand educational, sports, leadership, and/or employment opportunities for youth, veterans, and people with disabilities in Washington state.

(3) The ~~((association of Washington generals))~~ Washington state leadership board may conduct activities in support of their mission~~((; including but not limited to:~~

- ~~(a) Establishing selection criteria for selecting Washington generals;~~
- ~~(b) Training Washington generals as ambassadors of the state of Washington, nationally and internationally; and~~
- ~~(c) Promoting Washington generals as ambassadors of the state of Washington).~~

(4) The ~~((association of Washington generals))~~ Washington state leadership board is governed by a board of directors. The board of directors is composed of the governor, the lieutenant governor, and the secretary of state, who serve as ex officio, nonvoting members, and other officers and members as the ~~((association of Washington generals))~~ Washington state leadership board designates. In addition, four legislators may be appointed to the board of directors as ex officio members in the following manner: One legislator from each of the two largest caucuses of the senate, appointed by the president of the senate, and one legislator from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives.

(5) The board of directors shall~~((;~~

- ~~(a) Review nominations for and be responsible for the selection of Washington generals;~~
- ~~(b) Establish the title of honorary Washington general to honor worthy individuals from outside the state of Washington; and~~
- ~~(c) Adopt))~~ adopt bylaws and establish governance and transparency policies.

(6) The lieutenant governor's office may provide technical and financial assistance for the ~~((association of Washington generals))~~ Washington state leadership board, where the work of the ~~((association))~~ board aligns with the mission of the office. Assistance from the lieutenant governor's office may include, but is not limited to:

- (a) Collaboration with the ~~((association of Washington generals))~~ Washington state leadership board on the Washington world fellows program, a college readiness and study abroad fellowship administered by the office of the lieutenant governor;
- (b) Beginning January 1, 2019, collaboration with the ~~((association of Washington generals))~~ Washington state leadership board to administer the sports mentoring program as established under RCW 43.15.100, a mentoring program to encourage underserved youth to join sports or otherwise participate in the area of sports. If approved by the board, boundless Washington, an outdoor leadership program for young

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

people with disabilities, shall satisfy the terms of the sports mentoring program; and

(c) The compilation of a yearly financial report, which shall be made available to the legislature no later than January 15th of each year, detailing all revenues and expenditures associated with the Washington world fellows program and the sports mentoring program. Any expenditures made by the ~~((association of Washington generals))~~ Washington state leadership board in support of the Washington world fellows program and the sports mentoring program shall be made available to the office of the lieutenant governor for the purpose of inclusion in the annual financial report.

(7) The legislature may make appropriations in support of the ~~((Washington generals))~~ Washington state leadership board subject to the availability of funds.

(8) The office of the lieutenant governor must post on its web site detailed information on all funds received by the ~~((association of Washington generals))~~ Washington state leadership board and all expenditures by the ~~((association of Washington generals))~~ Washington state leadership board.

Sec. 19. RCW 43.15.040 and 2005 c 69 s 2 are each amended to read as follows:

The ~~((association of Washington generals))~~ Washington state leadership board may use the image of the Washington state flag to promote the mission of the organization as set forth under RCW ~~((43.342.010))~~ 43.15.030. The ~~((association))~~ board retains any revenue generated by the use of the image, when the usage is consistent with the purposes under RCW ~~((43.342.010))~~ 43.15.030.

Sec. 20. RCW 43.15.060 and 2003 c 347 s 1 are each amended to read as follows:

(1) Economic development and in particular international trade, tourism, and investment have become increasingly important to Washington, affecting the state's employment, revenues, and general economic well-being. Additionally, economic trends are rapidly changing and the international marketplace has become increasingly competitive as states and countries seek to improve and safeguard their own economic well-being. The purpose of the legislative committee on economic development and international relations is to provide responsive and consistent involvement by the legislature in economic development to maintain a healthy state economy and to provide employment opportunities to Washington residents.

(2) There is created a legislative committee on economic development and international relations which shall consist of six senators and six representatives from the legislature and the lieutenant governor who shall serve as chairperson. The senate members of the committee shall be appointed by the president of the senate and the house members of the committee shall be appointed by the speaker of the house. Not more than three members from each house shall be from the same political party. ~~((A list of appointees shall be submitted before the close of each regular legislative session during an odd-numbered year or any successive special session convened by the governor or the legislature prior to the close of such regular session or successive special session(s) for confirmation of senate members, by the senate, and house members, by the house.))~~ Vacancies occurring shall be filled by the appointing authority.

Sec. 21. RCW 43.15.065 and 1985 c 467 s 18 are each amended to read as follows:

The committee shall by majority vote establish subcommittees, and prescribe rules of procedure for itself and its subcommittees which are consistent with this chapter. ~~((The committee shall at a minimum establish a subcommittee on international trade and a subcommittee on industrial development.))~~

Sec. 22. RCW 43.15.070 and 1985 c 467 s 19 are each amended to read as follows:

The committee or its subcommittees are authorized to study and review economic development issues with special emphasis on international trade, tourism, investment, and industrial development, and to assist the legislature in developing a comprehensive and consistent economic development policy. The issues under review by the committee shall include, but not be limited to:

(1) Evaluating existing state policies, laws, and programs which promote or affect economic development with special emphasis on those concerning international trade, tourism, and investment and determine their cost-effectiveness and level of cooperation with other public and private agencies~~((;))~~;

(2) Monitoring economic trends, and developing for review by the legislature such ~~((appropriate))~~ state responses as may be deemed effective and appropriate~~((;))~~;

(3) Monitoring economic development policies and programs of other states and nations and evaluating their effectiveness~~((;))~~;

(4) Determining the economic impact of international trade, tourism, and investment upon the state's economy~~((;))~~;

(5) Assessing the need for and effect of federal, regional, and state cooperation in economic development policies and programs~~((;))~~;

(6) Evaluating opportunities to collaborate with public and private agencies in achieving Washington state's international relations objectives;

(7) Studying and adopting any state tourism slogan or tagline recommended by the Washington tourism marketing authority established in RCW 43.384.020;

(8) Designating official legislative trade delegations and nominating legislators for inclusion in official trade delegations organized by the office of international relations and protocol;

(9) Proposing potential sister-state relationships to be submitted to the governor for approval; and

(10) Developing and evaluating legislative proposals concerning the issues specified in this section.

Sec. 23. RCW 28A.300.801 and 2009 c 410 s 1 are each amended to read as follows:

(1) The legislative youth advisory council is established to examine issues of importance to youth, including but not limited to education, employment, strategies to increase youth participation in state and municipal government, safe environments for youth, substance abuse, emotional and physical health, foster care, poverty, homelessness, and youth access to services on a statewide and municipal basis.

(2) The council consists of at least twenty-two members as provided in this subsection who, at the time of appointment, are aged fourteen to eighteen. The council shall select a chair from among its members.

(3) ~~((Except for initial members, members))~~ Members shall serve two-year terms~~((;))~~ and, if eligible, may be reappointed for subsequent two-year terms. ~~((One half of the initial members shall be appointed to one year terms, and these appointments shall be made in such a way as to preserve overall representation on the committee.))~~

(4)(a) ~~((By July 2, 2007, and annually thereafter, students))~~ Students may apply annually to be considered for participation in the program by completing an online application form and submitting the application to the legislative youth advisory council. The council may develop selection criteria and an application review process. The council shall recommend candidates whose names will be submitted to the office of the lieutenant governor for final selection. ~~((Beginning May 7, 2009, the))~~ The office of the lieutenant governor shall notify all

applicants of the final selections (~~(using existing staff and resources)~~).

(b) (~~(Within existing staff and resources, the)~~) The office of the lieutenant governor shall make the application available on the lieutenant governor's web site.

(5) (~~(If the council has sufficient funds from any source, then)~~) Subject to the supervision of the office of the lieutenant governor, the council shall have the following duties:

(a) Advising the legislature on proposed and pending legislation, including state budget expenditures and policy matters relating to youth;

(b) Advising the standing committees of the legislature and study commissions, committees, and task forces regarding issues relating to youth;

(c) Conducting periodic seminars for its members regarding leadership, government, and the legislature;

(d) Accepting and soliciting for grants and donations from public and private sources to support the activities of the council; and

(e) Reporting annually by December 1st to the legislature on its activities, including proposed legislation that implements recommendations of the council.

(6) (~~(If the council has sufficient funds from any source, then in)~~) In carrying out its duties under this section, the council ((may)) must meet at least three times ((but not more than six times)) per year. ((The council shall consider conducting at least some of the meetings via the K-20 telecommunications network.)) The council is encouraged to use technology, such as remote videoconferencing technology, to facilitate members' participation in meetings. The council is encouraged to invite local state legislators to participate in the meetings. The council is encouraged to poll other students in order to get a broad perspective on ((the)) various policy issues. The council is encouraged to use technology to conduct ((the)) polling((, including the council's web site, if the council has a web site)).

(7) (~~(If the council has sufficient funds from any source, then members shall)~~) Members may be reimbursed as provided in RCW 43.03.050 and 43.03.060.

(8) (~~(If sufficient funds are available from any source, beginning with May 7, 2009, the)~~) The office of ((superintendent of public instruction)) the lieutenant governor shall provide administration, ((coordination)) supervision, and facilitation ((assistance)) support to the council. In facilitating the program, the office of the lieutenant governor may collaborate with the Washington state leadership board established in RCW 43.15.030. The senate and house of representatives may provide policy and fiscal briefings and assistance with drafting proposed legislation. The senate and the house of representatives shall each develop internal policies relating to staff assistance provided to the council. Such policies may include applicable internal personnel and practices guidelines, resource use and expense reimbursement guidelines, and applicable ethics mandates. Provision of funds, resources, and staff, as well as the assignment and direction of staff, remains at all times within the sole discretion of the chamber making the provision.

(9) The office of the lieutenant governor, (~~(the office of the superintendent of public instruction,))~~ the legislature, any agency of the legislature, and any official or employee of such office or agency are immune from liability for any injury that is incurred by or caused by a member of the legislative youth advisory council and that occurs while the member of the council is performing duties of the council or is otherwise engaged in activities or receiving services for which reimbursement is allowed under subsection (7) of this section. The immunity provided by this subsection does not apply to an injury intentionally caused by the act or omission of an employee or

official of the (~~(superintendent of public instruction or))~~ office of the lieutenant governor, the legislature, or any agency of the legislature.

PART III MISCELLANEOUS

NEW SECTION. Sec. 24. RCW 28A.300.801 is recodified as a section in chapter 43.15 RCW.

NEW SECTION. Sec. 25. This act takes effect July 1, 2020."

On page 1, line 2 of the title, after "committees;" strike the remainder of the title and insert "amending RCW 28A.175.075, 28A.657.100, 28B.15.067, 43.15.020, 43.216.572, 43.216.574, 44.04.325, 44.68.010, 44.68.040, 44.68.050, 44.68.060, 44.68.065, 44.68.085, 44.68.090, 44.68.100, 44.68.105, 43.15.030, 43.15.040, 43.15.060, 43.15.065, 43.15.070, and 28A.300.801; adding a new section to chapter 43.15 RCW; recodifying RCW 28A.300.801; repealing RCW 28A.657.130, 28B.95.170, 44.55.010, 44.55.020, 44.55.030, 44.55.040, 44.55.050, 44.55.060, 44.68.020, and 44.68.035; and providing an effective date."

MOTION

Senator Becker moved that the following floor amendment no. 1241 by Senator Becker be adopted:

On page 15, beginning on line 32, after "appointed by the" strike "president of the senate" and insert "leader of each respective caucus"

Senator Becker spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Billig spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1241 by Senator Becker on page 15, line 32 to the striking committee amendment.

The motion by Senator Becker did not carry and floor amendment no. 1241 was not adopted by voice vote.

MOTION

Senator Zeiger moved that the following floor amendment no. 1240 by Senators Walsh and Zeiger be adopted:

On page 21, after line 17, insert the following:
"NEW SECTION. Sec. 25. After January 1, 2021, the legislature may not establish any new statutory committees, task forces, work groups, or similar entities."

Re-number the remaining section consecutively and correct any internal references accordingly.

On page 21, line 25, after "43.15 RCW;" insert "creating a new section;"

Senators Zeiger, Schoesler, Honeyford, Becker and Walsh spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Hunt and Darneille spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1240 by Senators Walsh and Zeiger on page 21, after line 17 to the committee striking amendment.

The motion by Senator Zeiger did not carry and floor amendment no. 1240 was not adopted by voice vote.

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on State Government, Tribal Relations & Elections to House Bill No. 2402.

The motion by Senator Hunt carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, House Bill No. 2402 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 Hunt and Zeiger 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. 2402 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2402 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 Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liiias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Sheldon

HOUSE BILL NO. 2402 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. 2497, by Representatives Ormsby, Leavitt, Doglio, Ramel, Tharinger, Goodman, Riccelli and Santos

Adding development of permanently affordable housing to the allowable uses of community revitalization financing, the local infrastructure financing tool, and local revitalization financing.

The measure was read the second time.

MOTION

Senator Kuderer moved that the following committee striking amendment by the Committee on Housing Stability & Affordability be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 39.89.020 and 2001 c 212 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) "Assessed value of real property" means the valuation of real property as placed on the last completed assessment roll.

(2) "Local government" means any city, town, county, port district, or any combination thereof.

(3) "Ordinance" means any appropriate method of taking legislative action by a local government.

(4) "Public improvements" means:

(a) Infrastructure improvements within the increment area that include:

- (i) Street and road construction and maintenance;
- (ii) Water and sewer system construction and improvements;
- (iii) Sidewalks and streetlights;
- (iv) Parking, terminal, and dock facilities;
- (v) Park and ride facilities of a transit authority;
- (vi) Park facilities and recreational areas; and
- (vii) Stormwater and drainage management systems; and

(b) Expenditures for any of the following purposes:

(i) Providing environmental analysis, professional management, planning, and promotion within the increment area, including the management and promotion of retail trade activities in the increment area;

(ii) Providing maintenance and security for common or public areas in the increment area; or

(iii) Historic preservation activities authorized under RCW 35.21.395.

(5) "Public improvement costs" means the costs of: (a) Design, planning, acquisition, site preparation, construction, reconstruction, rehabilitation, improvement, and installation of public improvements; (b) purchasing, rehabilitating, retrofitting for energy efficiency, and constructing housing for the purpose of creating or preserving permanently affordable housing; (c) relocating, maintaining, and operating property pending construction of public improvements; ~~((e))~~ (d) relocating utilities as a result of public improvements; ~~((f))~~ (e) financing public improvements, including interest during construction, legal and other professional services, taxes, insurance, principal and interest costs on general indebtedness issued to finance public improvements, and any necessary reserves for general indebtedness; ~~((g))~~ (f) assessments incurred in revaluing real property for the purpose of determining the tax allocation base value that are in excess of costs incurred by the assessor in accordance with the revaluation plan under chapter 84.41 RCW, and the costs of apportioning the taxes and complying with this chapter and other applicable law; and ~~((h))~~ (g) administrative expenses and feasibility studies reasonably necessary and related to these costs, including related costs that may have been incurred before adoption of the ordinance authorizing the public improvements and the use of community revitalization financing to fund the costs of the public improvements.

(6) "Regular property taxes" means regular property taxes as defined in RCW 84.04.140, except: (a) Regular property taxes levied by port districts or public utility districts specifically for the purpose of making required payments of principal and interest on general indebtedness; and (b) regular property taxes levied by the state for the support of the common schools under RCW 84.52.065. Regular property taxes do not include excess property tax levies that are exempt from the aggregate limits for junior and senior taxing districts as provided in RCW 84.52.043.

(7) "Tax allocation base value" means the true and fair value of real property located within an increment area for taxes imposed in the year in which the increment area is created, plus twenty-five percent of any increase in the true and fair value of real property located within an increment area that is placed on the assessment rolls after the increment area is created.

(8) "Tax allocation revenues" means those tax revenues derived from the imposition of regular property taxes on the increment value and distributed to finance public improvements.

(9) "Increment area" means the geographic area from which taxes are to be appropriated to finance public improvements authorized under this chapter.

(10) "Increment value" means seventy-five percent of any increase in the true and fair value of real property in an increment area that is placed on the tax rolls after the increment area is created.

(11) "Taxing districts" means a governmental entity that levies or has levied for it regular property taxes upon real property located within a proposed or approved increment area.

(12) "Value of taxable property" means the value of the taxable property as defined in RCW 39.36.015.

(13) "Permanently affordable housing" means housing, regardless of ownership, for which there is a legally binding, recorded document in effect that limits the price at which the owner may sell or restricts the occupancy of the unit to a qualified, low-income household, for a period of at least forty years for a property used for shelter or rental housing, or for a period of at least twenty-five years for a property to be owned by a low-income household. These documents include, but are not limited to, affordability covenants, deed restrictions, and community land trust leases. Resale restrictions exercised by providers of permanently affordable housing can include, but are not limited to:

(a) Continuous ownership of land by a public entity or nonprofit housing provider with a lease allowing ownership of the structure by an income-eligible household;

(b) A nonpossessory interest or right in real property, such as a deed restriction, restrictive covenant, resale restriction or other contractual agreement, that ensures affordability.

Sec. 2. RCW 39.102.020 and 2018 c 178 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) "Annual state contribution limit" means seven million five hundred thousand dollars statewide per fiscal year.

(2) "Assessed value" means the valuation of taxable real property as placed on the last completed assessment roll.

(3) "Board" means the community economic revitalization board under chapter 43.160 RCW.

(4) "Dedicated" means pledged, set aside, allocated, received, budgeted, or otherwise identified.

(5) "Demonstration project" means one of the following projects:

- (a) Bellingham waterfront redevelopment project;
- (b) Spokane river district project at Liberty Lake; and
- (c) Vancouver riverwest project.

(6) "Department" means the department of revenue.

(7) "Fiscal year" means the twelve-month period beginning July 1st and ending the following June 30th.

(8) "Local excise tax allocation revenue" means an amount of local excise taxes equal to some or all of the sponsoring local government's local excise tax increment, amounts of local excise taxes equal to some or all of any participating local government's excise tax increment as agreed upon in the written agreement under RCW 39.102.080(1), or both, and dedicated to local infrastructure financing.

(9) "Local excise tax increment" means an amount equal to the estimated annual increase in local excise taxes in each calendar year following the approval of the revenue development area by the board from taxable activity within the revenue development area, as set forth in the application provided to the board under RCW 39.102.040, and updated in accordance with RCW 39.102.140(1)(f).

(10) "Local excise taxes" means local revenues derived from the imposition of sales and use taxes authorized in RCW 82.14.030.

(11) "Local government" means any city, town, county, port district, and any federally recognized Indian tribe.

(12) "Local infrastructure financing" means the use of revenues received from local excise tax allocation revenues, local property tax allocation revenues, other revenues from local public sources, and revenues received from the local option sales and use tax authorized in RCW 82.14.475, dedicated to pay either the principal and interest on bonds authorized under RCW 39.102.150 or to pay public improvement costs on a pay-as-you-go basis subject to RCW 39.102.195, or both.

(13) "Local property tax allocation revenue" means those tax revenues derived from the receipt of regular property taxes levied on the property tax allocation revenue value and used for local infrastructure financing.

(14) "Low-income housing" means residential housing for low-income persons or families who lack the means which is necessary to enable them, without financial assistance, to live in decent, safe, and sanitary dwellings, without overcrowding. For the purposes of this subsection, "low income" means income that does not exceed eighty percent of the median family income for the standard metropolitan statistical area in which the revenue development area is located.

(15) "Ordinance" means any appropriate method of taking legislative action by a local government.

(16) "Participating local government" means a local government having a revenue development area within its geographic boundaries that has entered into a written agreement with a sponsoring local government as provided in RCW 39.102.080 to allow the use of all or some of its local excise tax allocation revenues or other revenues from local public sources dedicated for local infrastructure financing.

(17) "Participating taxing district" means a local government having a revenue development area within its geographic boundaries that has entered into a written agreement with a sponsoring local government as provided in RCW 39.102.080 to allow the use of some or all of its local property tax allocation revenues or other revenues from local public sources dedicated for local infrastructure financing.

(18) "Property tax allocation revenue base value" means the assessed value of real property located within a revenue development area less the property tax allocation revenue value.

(19)(a)(i) "Property tax allocation revenue value" means seventy-five percent of any increase in the assessed value of real property in a revenue development area resulting from:

(A) The placement of new construction, improvements to property, or both, on the assessment roll, where the new construction and improvements are initiated after the revenue development area is approved by the board;

(B) The cost of new housing construction, conversion, and rehabilitation improvements, when such cost is treated as new construction for purposes of chapter 84.55 RCW as provided in RCW 84.14.020, and the new housing construction, conversion, and rehabilitation improvements are initiated after the revenue development area is approved by the board;

(C) The cost of rehabilitation of historic property, when such cost is treated as new construction for purposes of chapter 84.55 RCW as provided in RCW 84.26.070, and the rehabilitation is initiated after the revenue development area is approved by the board.

(ii) Increases in the assessed value of real property in a revenue development area resulting from (a)(i)(A) through (C) of this subsection are included in the property tax allocation revenue value in the initial year. These same amounts are also included in

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

the property tax allocation revenue value in subsequent years unless the property becomes exempt from property taxation.

(b) "Property tax allocation revenue value" includes seventy-five percent of any increase in the assessed value of new construction consisting of an entire building in the years following the initial year, unless the building becomes exempt from property taxation.

(c) Except as provided in (b) of this subsection, "property tax allocation revenue value" does not include any increase in the assessed value of real property after the initial year.

(d) There is no property tax allocation revenue value if the assessed value of real property in a revenue development area has not increased as a result of any of the reasons specified in (a)(i)(A) through (C) of this subsection.

(e) For purposes of this subsection, "initial year" means:

(i) For new construction and improvements to property added to the assessment roll, the year during which the new construction and improvements are initially placed on the assessment roll;

(ii) For the cost of new housing construction, conversion, and rehabilitation improvements, when such cost is treated as new construction for purposes of chapter 84.55 RCW, the year when such cost is treated as new construction for purposes of levying taxes for collection in the following year; and

(iii) For the cost of rehabilitation of historic property, when such cost is treated as new construction for purposes of chapter 84.55 RCW, the year when such cost is treated as new construction for purposes of levying taxes for collection in the following year.

(20) "Public improvement costs" means the cost of: (a) Design, planning, acquisition including land acquisition, site preparation including land clearing, construction, reconstruction, rehabilitation, improvement, and installation of public improvements; (b) demolishing, relocating, maintaining, and operating property pending construction of public improvements; (c) the local government's portion of relocating utilities as a result of public improvements; (d) financing public improvements, including interest during construction, legal and other professional services, taxes, insurance, principal and interest costs on general indebtedness issued to finance public improvements, and any necessary reserves for general indebtedness; (e) assessments incurred in revaluing real property for the purpose of determining the property tax allocation revenue base value that are in excess of costs incurred by the assessor in accordance with the revaluation plan under chapter 84.41 RCW, and the costs of apportioning the taxes and complying with this chapter and other applicable law; (f) administrative expenses and feasibility studies reasonably necessary and related to these costs; and (g) any of the above-described costs that may have been incurred before adoption of the ordinance authorizing the public improvements and the use of local infrastructure financing to fund the costs of the public improvements.

(21) "Public improvements" means:

(a) Infrastructure improvements within the revenue development area that include:

(i) Street, bridge, and road construction and maintenance, including highway interchange construction;

(ii) Water and sewer system construction and improvements, including wastewater reuse facilities;

(iii) Sidewalks, traffic controls, and streetlights;

(iv) Parking, terminal, and dock facilities;

(v) Park and ride facilities of a transit authority;

(vi) Park facilities and recreational areas, including trails; and

(vii) Stormwater and drainage management systems;

(b) Expenditures for facilities and improvements that support affordable housing as defined in RCW 43.63A.510; and

(c) Expenditures to purchase, rehabilitate, retrofit for energy efficiency, and construct housing for the purpose of creating or preserving permanently affordable housing.

(22) "Real property" has the same meaning as in RCW 84.04.090 and also includes any privately owned improvements located on publicly owned land that are subject to property taxation.

(23) "Regular property taxes" means regular property taxes as defined in RCW 84.04.140, except: (a) Regular property taxes levied by public utility districts specifically for the purpose of making required payments of principal and interest on general indebtedness; (b) regular property taxes levied by the state for the support of the common schools under RCW 84.52.065; and (c) regular property taxes authorized by RCW 84.55.050 that are limited to a specific purpose. "Regular property taxes" do not include excess property tax levies that are exempt from the aggregate limits for junior and senior taxing districts as provided in RCW 84.52.043.

(24) "Relocating a business" means the closing of a business and the reopening of that business, or the opening of a new business that engages in the same activities as the previous business, in a different location within a one-year period, when an individual or entity has an ownership interest in the business at the time of closure and at the time of opening or reopening. "Relocating a business" does not include the closing and reopening of a business in a new location where the business has been acquired and is under entirely new ownership at the new location, or the closing and reopening of a business in a new location as a result of the exercise of the power of eminent domain.

(25) "Revenue development area" means the geographic area adopted by a sponsoring local government and approved by the board, from which local excise and property tax allocation revenues are derived for local infrastructure financing.

(26)(a) "Revenues from local public sources" means:

(i) Amounts of local excise tax allocation revenues and local property tax allocation revenues, dedicated by sponsoring local governments, participating local governments, and participating taxing districts, for local infrastructure financing; and

(ii) Any other local revenues, except as provided in (b) of this subsection, including revenues derived from federal and private sources.

(b) Revenues from local public sources do not include any local funds derived from state grants, state loans, or any other state moneys including any local sales and use taxes credited against the state sales and use taxes imposed under chapter 82.08 or 82.12 RCW.

(27) "Small business" has the same meaning as provided in RCW 19.85.020.

(28) "Sponsoring local government" means a city, town, or county, and for the purpose of this chapter a federally recognized Indian tribe or any combination thereof, that adopts a revenue development area and applies to the board to use local infrastructure financing.

(29) "State contribution" means the lesser of:

(a) One million dollars;

(b) The total amount of local excise tax allocation revenues, local property tax allocation revenues, and other revenues from local public sources, that are dedicated by a sponsoring local government, any participating local governments, and participating taxing districts, in the preceding calendar year to the payment of principal and interest on bonds issued under RCW 39.102.150 or to pay public improvement costs on a pay-as-you-go basis subject to RCW 39.102.195, or both. Revenues from local public sources dedicated in the preceding calendar year that

are in excess of the project award may be carried forward and used in later years for the purpose of this subsection (29)(b);

(c) The amount of project award granted by the board in the notice of approval to use local infrastructure financing under RCW 39.102.040; or

(d) The highest amount of state excise tax allocation revenues and state property tax allocation revenues for any one calendar year as determined by the sponsoring local government and reported to the board and the department as required by RCW 39.102.140.

(30) "State excise tax allocation revenue" means an amount equal to the annual increase in state excise taxes estimated to be received by the state in each calendar year following the approval of the revenue development area by the board, from taxable activity within the revenue development area as set forth in the application provided to the board under RCW 39.102.040 and periodically updated and reported as required in RCW 39.102.140(1)(f).

(31) "State excise taxes" means revenues derived from state retail sales and use taxes under RCW 82.08.020(1) and 82.12.020 at the rate provided in RCW 82.08.020(1), less the amount of tax distributions from all local retail sales and use taxes, other than the local sales and use taxes authorized by RCW 82.14.475 for the applicable revenue development area, imposed on the same taxable events that are credited against the state retail sales and use taxes under chapters 82.08 and 82.12 RCW.

(32) "State property tax allocation revenue" means an amount equal to the estimated tax revenues derived from the imposition of property taxes levied by the state for the support of common schools under RCW 84.52.065 on the property tax allocation revenue value, as set forth in the application submitted to the board under RCW 39.102.040 and updated annually in the report required under RCW 39.102.140(1)(f).

(33) "Taxing district" means a government entity that levies or has levied for it regular property taxes upon real property located within a proposed or approved revenue development area.

(34) "Permanently affordable housing" means housing, regardless of ownership, for which there is a legally binding, recorded document in effect that limits the price at which the owner may sell or restricts the occupancy of the unit to a qualified, low-income household, for a period of at least forty years for a property used for shelter or rental housing, or for a period of at least twenty-five years for a property to be owned by a low-income household. These documents include, but are not limited to, affordability covenants, deed restrictions, and community land trust leases. Resale restrictions exercised by providers of permanently affordable housing can include, but are not limited to:

(a) Continuous ownership of land by a public entity or nonprofit housing provider with a lease allowing ownership of the structure by an income-eligible household;

(b) A nonpossessory interest or right in real property, such as a deed restriction, restrictive covenant, resale restriction or other contractual agreement, that ensures affordability.

Sec. 3. RCW 39.104.020 and 2016 c 207 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) "Annual state contribution limit" means two million five hundred thousand dollars statewide per fiscal year, plus the additional amounts approved for demonstration projects in RCW 82.14.505.

(2) "Approving agency" means the department of revenue for project awards approved before June 9, 2016, and the department of commerce for project awards approved after June 9, 2016.

(3) "Assessed value" means the valuation of taxable real property as placed on the last completed assessment roll.

(4) "Bond" means a bond, a note or other evidence of indebtedness, including but not limited to a lease-purchase agreement or an executory conditional sales contract.

(5) "Department" means the department of revenue.

(6) "Fiscal year" means the twelve-month period beginning July 1st and ending the following June 30th.

(7) "Local government" means any city, town, county, and port district.

(8) "Local property tax allocation revenue" means those tax revenues derived from the receipt of regular property taxes levied on the property tax allocation revenue value and used for local revitalization financing.

(9) "Local revitalization financing" means the use of revenues from local public sources, dedicated to pay the principal and interest on bonds authorized under RCW 39.104.110 and public improvement costs within the revitalization area on a pay-as-you-go basis, and revenues received from the local option sales and use tax authorized in RCW 82.14.510, dedicated to pay the principal and interest on bonds authorized under RCW 39.104.110.

(10) "Local sales and use tax increment" means the estimated annual increase in local sales and use taxes as determined by the local government in the calendar years following the approval of the revitalization area by the department from taxable activity within the revitalization area.

(11) "Local sales and use taxes" means local revenues derived from the imposition of sales and use taxes authorized in RCW 82.14.030.

(12) "Ordinance" means any appropriate method of taking legislative action by a local government.

(13) "Participating local government" means a local government having a revitalization area within its geographic boundaries that has taken action as provided in RCW 39.104.070(1) to allow the use of all or some of its local sales and use tax increment or other revenues from local public sources dedicated for local revitalization financing.

(14) "Participating taxing district" means a taxing district that:

(a) Has a revitalization area wholly or partially within its geographic boundaries;

(b) Levies or has levied for it regular property taxes as defined in this section; and

(c) Has not taken action as provided in RCW 39.104.060(2).

(15) "Property tax allocation revenue base value" means the assessed value of real property located within a revitalization area, less the property tax allocation revenue value.

(16)(a)(i) "Property tax allocation revenue value" means seventy-five percent of any increase in the assessed value of real property in a revitalization area resulting from:

(A) The placement of new construction, improvements to property, or both, on the assessment roll, where the new construction and improvements are initiated after the revitalization area is approved;

(B) The cost of new housing construction, conversion, and rehabilitation improvements, when the cost is treated as new construction for purposes of chapter 84.55 RCW as provided in RCW 84.14.020, and the new housing construction, conversion, and rehabilitation improvements are initiated after the revitalization area is approved;

(C) The cost of rehabilitation of historic property, when the cost is treated as new construction for purposes of chapter 84.55 RCW as provided in RCW 84.26.070, and the rehabilitation is initiated after the revitalization area is approved.

(ii) Increases in the assessed value of real property in a revitalization area resulting from (a)(i)(A) through (C) of this

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

subsection are included in the property tax allocation revenue value in the initial year. These same amounts are also included in the property tax allocation revenue value in subsequent years unless the property becomes exempt from property taxation.

(b) "Property tax allocation revenue value" includes seventy-five percent of any increase in the assessed value of new construction consisting of an entire building in the years following the initial year, unless the building becomes exempt from property taxation.

(c) Except as provided in (b) of this subsection, "property tax allocation revenue value" does not include any increase in the assessed value of real property after the initial year.

(d) There is no property tax allocation revenue value if the assessed value of real property in a revitalization area has not increased as a result of any of the reasons specified in (a)(i)(A) through (C) of this subsection.

(e) For purposes of this subsection, "initial year" means:

(i) For new construction and improvements to property added to the assessment roll, the year during which the new construction and improvements are initially placed on the assessment roll;

(ii) For the cost of new housing construction, conversion, and rehabilitation improvements, when the cost is treated as new construction for purposes of chapter 84.55 RCW, the year when the cost is treated as new construction for purposes of levying taxes for collection in the following year; and

(iii) For the cost of rehabilitation of historic property, when the cost is treated as new construction for purposes of chapter 84.55 RCW, the year when such cost is treated as new construction for purposes of levying taxes for collection in the following year.

(17) "Public improvement costs" means the costs of:

(a) Design, planning, acquisition, including land acquisition, site preparation including land clearing, construction, reconstruction, rehabilitation, improvement, and installation of public improvements;

(b) Demolishing, relocating, maintaining, and operating property pending construction of public improvements;

(c) Relocating utilities as a result of public improvements;

(d) Financing public improvements, including interest during construction, legal and other professional services, taxes, insurance, principal and interest costs on general indebtedness issued to finance public improvements, and any necessary reserves for general indebtedness; and

(e) Administrative expenses and feasibility studies reasonably necessary and related to these costs, including related costs that may have been incurred before adoption of the ordinance authorizing the public improvements and the use of local revitalization financing to fund the costs of the public improvements.

(18) "Public improvements" means:

(a) Infrastructure improvements within the revitalization area that include:

(i) Street, road, bridge, and rail construction and maintenance;

(ii) Water and sewer system construction and improvements;

(iii) Sidewalks, streetlights, landscaping, and streetscaping;

(iv) Parking, terminal, and dock facilities;

(v) Park and ride facilities of a transit authority;

(vi) Park facilities, recreational areas, and environmental remediation;

(vii) Stormwater and drainage management systems;

(viii) Electric, gas, fiber, and other utility infrastructures;

((and))

(b) Expenditures for any of the following purposes:

(i) Providing environmental analysis, professional management, planning, and promotion within the revitalization

area, including the management and promotion of retail trade activities in the revitalization area;

(ii) Providing maintenance and security for common or public areas in the revitalization area; or

(iii) Historic preservation activities authorized under RCW 35.21.395; and

(c) Expenditures to purchase, rehabilitate, retrofit for energy efficiency, and construct housing for the purpose of creating or preserving permanently affordable housing.

(19) "Real property" has the same meaning as in RCW 84.04.090 and also includes any privately owned improvements located on publicly owned land that are subject to property taxation.

(20)(a) "Regular property taxes" means regular property taxes as defined in RCW 84.04.140, except: (i) Regular property taxes levied by public utility districts specifically for the purpose of making required payments of principal and interest on general indebtedness; (ii) regular property taxes levied by the state for the support of common schools under RCW 84.52.065; and (iii) regular property taxes authorized by RCW 84.55.050 that are limited to a specific purpose.

(b) "Regular property taxes" do not include:

(i) Excess property tax levies that are exempt from the aggregate limits for junior and senior taxing districts as provided in RCW 84.52.043; and

(ii) Property taxes that are specifically excluded through an interlocal agreement between the sponsoring local government and a participating taxing district as set forth in RCW 39.104.060(3).

(21)(a) "Revenues from local public sources" means:

(i) The local sales and use tax amounts received as a result of interlocal agreement, local sales and use tax amounts from sponsoring local governments based on its local sales and use tax increment, and local property tax allocation revenues, which are dedicated by a sponsoring local government, participating local governments, and participating taxing districts, for payment of bonds under RCW 39.104.110 or public improvement costs within the revitalization area on a pay-as-you-go basis; and

(ii) Any other local revenues, except as provided in (b) of this subsection, including revenues derived from federal and private sources and amounts received by taxing districts as set forth by an interlocal agreement as described in RCW 39.104.060(4), which are dedicated for the payment of bonds under RCW 39.104.110 or public improvement costs within the revitalization area on a pay-as-you-go basis.

(b) Revenues from local public sources do not include any local funds derived from state grants, state loans, or any other state moneys including any local sales and use taxes credited against the state sales and use taxes imposed under chapter 82.08 or 82.12 RCW.

(22) "Revitalization area" means the geographic area adopted by a sponsoring local government and approved by the approving agency, from which local sales and use tax increments are estimated and property tax allocation revenues are derived for local revitalization financing.

(23) "Sponsoring local government" means a city, town, county, or any combination thereof, that adopts a revitalization area.

(24) "State contribution" means the lesser of:

(a) Five hundred thousand dollars;

(b) The project award amount approved by the approving agency as provided in RCW 39.104.100 or 82.14.505; or

(c) The total amount of revenues from local public sources dedicated in the preceding calendar year to the payment of principal and interest on bonds issued under RCW 39.104.110

and public improvement costs within the revitalization area on a pay-as-you-go basis. Revenues from local public sources dedicated in the preceding calendar year that are in excess of the project award may be carried forward and used in later years for the purpose of this subsection (24)(c).

(25) "State property tax increment" means the estimated amount of annual tax revenues estimated to be received by the state from the imposition of property taxes levied by the state for the support of common schools under RCW 84.52.065 on the property tax allocation revenue value, as determined by the sponsoring local government in an application under RCW 39.104.100 and updated periodically as required in RCW 82.32.765.

(26) "State sales and use tax increment" means the estimated amount of annual increase in state sales and use taxes to be received by the state from taxable activity within the revitalization area in the years following the approval of the revitalization area as determined by the sponsoring local government in an application under RCW 39.104.100 and updated periodically as required in RCW 82.32.765.

(27) "State sales and use taxes" means state retail sales and use taxes under RCW 82.08.020(1) and 82.12.020 at the rate provided in RCW 82.08.020(1), less the amount of tax distributions from all local retail sales and use taxes, other than the local sales and use taxes authorized by RCW 82.14.510 for the applicable revitalization area, imposed on the same taxable events that are credited against the state retail sales and use taxes under RCW 82.08.020(1) and 82.12.020.

(28) "Taxing district" means a government entity that levies or has levied for it regular property taxes upon real property located within a proposed or approved revitalization area.

(29) "Permanently affordable housing" means housing, regardless of ownership, for which there is a legally binding, recorded document in effect that limits the price at which the owner may sell or restricts the occupancy of the unit to a qualified, low-income household, for a period of at least forty years for a property used for shelter or rental housing, or for a period of at least twenty-five years for a property to be owned by a low-income household. These documents include, but are not limited to, affordability covenants, deed restrictions, and community land trust leases. Resale restrictions exercised by providers of permanently affordable housing can include, but are not limited to:

(a) Continuous ownership of land by a public entity or nonprofit housing provider with a lease allowing ownership of the structure by an income-eligible household;

(b) A nonpossessory interest or right in real property, such as a deed restriction, restrictive covenant, resale restriction or other contractual agreement, that ensures affordability."

On page 1, line 4 of the title, after "financing;" strike the remainder of the title and insert "and amending RCW 39.89.020, 39.102.020, and 39.104.020."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Housing Stability & Affordability to House Bill No. 2497.

The motion by Senator Kuderer carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, House Bill No. 2497 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 Kuderer and Zeiger 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. 2497 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2497 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 35; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Schoesler, Stanford, Takko, Van De Wege, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Braun, Brown, Ericksen, Hasegawa, Hawkins, Honeyford, Padden, Rivers, Short, Wagoner, Warnick and Wilson, L.

Excused: Senator Sheldon

HOUSE BILL NO. 2497 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. 2617, by Representatives Robinson, Ortiz-Self, Sells, Macri, Valdez, Lekanoff and Senn

Concerning the lease or rental of surplus property of school districts.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, House Bill No. 2617 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins 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. 2617.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2617 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Stanford, Takko, Van De Wege, Wagoner, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Ericksen, Fortunato, Hasegawa, Honeyford, Padden, Short, Warnick and Wilson, L.

Excused: Senator Sheldon

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

HOUSE BILL NO. 2617, having received the 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. 1694, by Representatives Morgan, Macri, Riccelli, Goodman, Jinkins, Cody, Stonier, Robinson, Appleton, Pollet, Gregerson and Frame

Allowing tenants to pay certain sums in installments.

The measure was read the second time.

MOTION

Senator Mullet moved that the following committee striking amendment by the Committee on Financial Institutions, Economic Development & Trade be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 59.18 RCW to read as follows:

(1)(a) Except as provided in (b) of this subsection, upon receipt of a tenant's written request, a landlord must permit the tenant to pay any deposits, nonrefundable fees, and last month's rent in installments.

(b) A landlord is not required to permit a tenant to pay in installments if the total amount of the deposits and nonrefundable fees do not exceed twenty-five percent of the first full month's rent and payment of the last month's rent is not required at the inception of the tenancy.

(2) In all cases where premises are rented for a specified time that is three months or longer, the tenant may elect to pay any deposits, nonrefundable fees, and last month's rent in three consecutive and equal monthly installments, beginning at the inception of the tenancy. In all other cases, the tenant may elect to pay any deposits, nonrefundable fees, and last month's rent in two consecutive and equal monthly installments, beginning at the inception of the tenancy.

(3) A landlord may not impose any fee, charge any interest, or otherwise impose a cost on a tenant because a tenant elects to pay in installments. Installment payments are due at the same time as rent is due. All installment schedules must be in writing and signed by the landlord and the tenant.

(4)(a) A fee or deposit to hold a dwelling unit or secure that the prospective tenant will move into a dwelling unit, as authorized under RCW 59.18.253, shall not be considered a deposit or nonrefundable fee for purposes of this section.

(b) A landlord may not request a fee or deposit to hold a dwelling unit or secure that the prospective tenant will move into a dwelling unit in excess of one-third of the first month's rent. The fee or deposit to hold the dwelling unit must be applied to the first month's rent once the tenancy begins.

(5) Beginning January 1, 2021, any landlord who refuses to permit a tenant to pay any deposits, nonrefundable fees, and last month's rent in installments upon the tenant's written request as described in subsection (1) of this section is subject to a statutory penalty of one month's rent and reasonable attorneys' fees payable to the tenant.

(6)(a) In any application seeking relief pursuant RCW 59.18.283(3), the court shall issue a finding as to whether the tenant is low-income, limited resourced, or experiencing hardship to determine if the landlord would be eligible for reimbursement

through the landlord mitigation program account established within RCW 43.31.605(1)(c). In making this finding, the court may include an inquiry regarding the tenant's income relative to area median income, household composition, any extenuating circumstances, or other factors, and may rely on written declarations or oral testimony by the parties at the hearing.

(b) After a finding that the tenant is low-income, limited resourced, or experiencing hardship, the court may issue an order: (i) Finding that the landlord is eligible to receive on behalf of the tenant and may apply for reimbursement from the landlord mitigation program; and (ii) directing the clerk to remit, without further order of the court, any future payments made by the tenant in order to reimburse the department of commerce pursuant to RCW 43.31.605(1)(c)(iii). Nothing in this subsection shall be deemed to obligate the department of commerce to provide assistance in claim reimbursement through the landlord mitigation program if there are not sufficient funds.

(c) Upon payment by the department of commerce to the landlord for the remaining or total amount of the judgment, as applicable, the judgment is satisfied and the landlord shall file a satisfaction of judgment with the court.

Sec. 2. RCW 43.31.605 and 2019 c 356 s 12 are each amended to read as follows:

(1)(a) Subject to the availability of funds for this purpose, the landlord mitigation program is created and administered by the department. The department shall have such rule-making authority as the department deems necessary to administer the program.

(b) The following types of claims related to landlord mitigation for renting private market rental units to low-income tenants using a housing subsidy program are eligible for reimbursement from the landlord mitigation program account:

(i) Up to one thousand dollars for improvements identified in RCW 59.18.255(1)(a). In order to be eligible for reimbursement under this subsection (1)(b)(i), the landlord must pay for the first five hundred dollars for improvements, and rent to the tenant whose housing subsidy program was conditioned on the real property passing inspection. Reimbursement under this subsection (1)(b)(i) may also include up to fourteen days of lost rental income from the date of offer of housing to the applicant whose housing subsidy program was conditioned on the real property passing inspection until move in by that applicant;

(ii) Reimbursement for damages as reflected in a judgment obtained against the tenant through either an unlawful detainer proceeding, or through a civil action in a court of competent jurisdiction after a hearing;

(iii) Reimbursement for damages established pursuant to subsection (2) of this section; and

(iv) Reimbursement for unpaid rent and unpaid utilities, provided that the landlord can evidence it to the department's satisfaction.

(c) Claims related to landlord mitigation for an unpaid judgment for rent, unpaid judgments resulting from the tenant's failure to comply with an installment payment agreement identified in section 1 of this act, late fees, attorneys' fees, and costs after a court order pursuant to RCW 59.18.410(3), including any unpaid portion of the judgment after the tenant defaults on the payment plan pursuant to RCW 59.18.410(3)(c), are eligible for reimbursement from the landlord mitigation program account and are exempt from any postjudgment interest required under RCW 4.56.110. Any claim for reimbursement under this subsection (1)(c) is not an entitlement.

(i) The department shall provide for a form on its web site for tenants and landlords to apply for reimbursement funds for the landlord pursuant to this subsection (1)(c).

(ii) The form must include: (A) Space for the landlord and tenant to provide names, mailing addresses, phone numbers, date of birth for the tenant, and any other identifying information necessary for the department to process payment; (B) the landlord's statewide vendor identification number and how to obtain one; (C) name and address to whom payment must be made; (D) the amount of the judgment with instructions to include any other supporting documentation the department may need to process payment; (E) instructions for how the tenant is to reimburse the department under (c)(iii) of this subsection; (F) a description of the consequences if the tenant does not reimburse the department as provided in this subsection (1)(c); (G) a signature line for the landlord and tenant to confirm that they have read and understood the contents of the form and program; and (H) any other information necessary for the operation of the program. If the tenant has not signed the form after the landlord has made good faith efforts to obtain the tenant's signature, the landlord may solely submit the form but must attest to the amount of money owed and sign the form under penalty of perjury.

(iii) When a landlord has been reimbursed pursuant to this subsection (1)(c), the tenant for whom payment was made shall reimburse the department by depositing the amount disbursed from the landlord mitigation program account into the court registry of the superior court in which the judgment was entered. The tenant or other interested party may seek an ex parte order of the court under the unlawful detainer action to order such funds to be disbursed by the court. Upon entry of the order, the court clerk shall disburse the funds and include a case number with any payment issued to the department. If directed by the court, a clerk shall issue any payments made by a tenant to the department without further court order.

(iv) The department may deny an application made by a tenant who has failed to reimburse the department for prior payments issued pursuant to this subsection (1)(c).

(v) With any disbursement from the account to the landlord, the department shall notify the tenant at the address provided within the application that a disbursement has been made to the landlord on the tenant's behalf and that failure to reimburse the account for the payment through the court registry may result in a denial of a future application to the account pursuant to this subsection (1)(c). The department may include any other additional information about how to reimburse the account it deems necessary to fully inform the tenant.

(vi) The department's duties with respect to obtaining reimbursement from the tenant to the account are limited to those specified within this subsection (1)(c).

(vii) If at any time funds do not exist in the landlord mitigation program account to reimburse claims submitted under this subsection (1)(c), the department must create and maintain a waitlist and distribute funds in the order the claims are received pursuant to subsection (6) of this section. Payment of any claims on the waitlist shall be made only from the landlord mitigation program account. The department shall not be civilly or criminally liable and may not have any penalty or cause of action of any nature arise against it regarding the provision or lack of provision of funds for reimbursement.

(2) In order for a claim under subsection (1)(b)(iii) of this section to be eligible for reimbursement from the landlord mitigation program account, a landlord must:

(a) Have ensured that the rental property was inspected at the commencement of the tenancy by both the tenant and the landlord or landlord's agent and that a detailed written move-in property inspection report, as required in RCW 59.18.260, was prepared and signed by both the tenant and the landlord or landlord's agent;

(b) Make repairs and then apply for reimbursement to the department;

(c) Submit a claim on a form to be determined by the department, signed under penalty of perjury; and

(d) Submit to the department copies of the move-in property inspection report specified in (a) of this subsection and supporting materials including, but not limited to, before repair and after repair photographs, videos, copies of repair receipts for labor and materials, and such other documentation or information as the department may request.

(3) The department shall make reasonable efforts to review a claim within ten business days from the date it received properly submitted and complete claims to the satisfaction of the department. In reviewing a claim pursuant to subsection (1)(b) of this section, and determining eligibility for reimbursement, the department must receive documentation, acceptable to the department in its sole discretion, that the claim involves a private market rental unit rented to a low-income tenant who is using a housing subsidy program.

(4) Claims pursuant to subsection (1)(b) of this section related to a tenancy must total at least five hundred dollars in order for a claim to be eligible for reimbursement from the program. While claims or damages may exceed five thousand dollars, total reimbursement from the program may not exceed five thousand dollars per tenancy.

(5) Damages, beyond wear and tear, that are eligible for reimbursement include, but are not limited to: Interior wall gouges and holes; damage to doors and cabinets, including hardware; carpet stains or burns; cracked tiles or hard surfaces; broken windows; damage to household fixtures such as disposal, toilet, sink, sink handle, ceiling fan, and lighting. Other property damages beyond normal wear and tear may also be eligible for reimbursement at the department's discretion.

(6) All reimbursements for eligible claims shall be made on a first-come, first-served basis, to the extent of available funds. The department shall use best efforts to notify the tenant of the amount and the reasons for any reimbursements made.

(7) The department, in its sole discretion, may inspect the property and the landlord's records related to a claim, including the use of a third-party inspector as needed to investigate fraud, to assist in making its claim review and determination of eligibility.

(8) A landlord in receipt of reimbursement from the program pursuant to subsection (1)(b) of this section is prohibited from:

(a) Taking legal action against the tenant for damages attributable to the same tenancy; or

(b) Pursuing collection, or authorizing another entity to pursue collection on the landlord's behalf, of a judgment against the tenant for damages attributable to the same tenancy.

(9) A landlord denied reimbursement under subsection (1)(b)(iii) of this section may seek to obtain a judgment from a court of competent jurisdiction and, if successful, may resubmit a claim for damages supported by the judgment, along with a certified copy of the judgment. The department may reimburse the landlord for that portion of such judgment that is based on damages reimbursable under the landlord mitigation program, subject to the limitations set forth in this section.

(10) Determinations regarding reimbursements shall be made by the department in its sole discretion.

(11) The department must establish a web site that advertises the landlord mitigation program, the availability of reimbursement from the landlord mitigation program account, and maintains or links to the agency rules and policies established pursuant to this section.

(12) Neither the state, the department, or persons acting on behalf of the department, while acting within the scope of their employment or agency, is liable to any person for any loss, damage, harm, or other consequence resulting directly or

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

indirectly from the department's administration of the landlord mitigation program or determinations under this section.

(13)(a) A report to the appropriate committees of the legislature on the effectiveness of the program and recommended modifications shall be submitted to the governor and the appropriate committees of the legislature by January 1, 2021. In preparing the report, the department shall convene and solicit input from a group of stakeholders to include representatives of large multifamily housing property owners or managers, small rental housing owners in both rural and urban markets, a representative of tenant advocates, and a representative of the housing authorities.

(b) The report shall include discussion of the effectiveness of the program as well as the department's recommendations to improve the program, and shall include the following:

(i) The number of total claims and total amount reimbursed to landlords by the fund;

(ii) Any indices of fraud identified by the department;

(iii) Any reports by the department regarding inspections authorized by and conducted on behalf of the department;

(iv) An outline of the process to obtain reimbursement for improvements and for damages from the fund;

(v) An outline of the process to obtain reimbursement for lost rent due to the rental inspection and tenant screening process, together with the total amount reimbursed for such damages;

(vi) An evaluation of the feasibility for expanding the use of the mitigation fund to provide up to ninety-day no interest loans to landlords who have not received timely rental payments from a housing authority that is administering section 8 rental assistance;

(vii) Any other modifications and recommendations made by stakeholders to improve the effectiveness and applicability of the program.

(14) As used in this section:

(a) "Housing subsidy program" means a housing voucher as established under 42 U.S.C. Sec. 1437 as of January 1, 2018, or other housing subsidy program including, but not limited to, valid short-term or long-term federal, state, or local government, private nonprofit, or other assistance program in which the tenant's rent is paid either partially by the program and partially by the tenant, or completely by the program directly to the landlord;

(b) "Low-income" means income that does not exceed eighty percent of the median income for the standard metropolitan statistical area in which the private market rental unit is located; and

(c) "Private market rental unit" means any unit available for rent that is owned by an individual, corporation, limited liability company, nonprofit housing provider, or other entity structure, but does not include housing acquired, or constructed by a public housing agency under 42 U.S.C. Sec. 1437 as it existed on January 1, 2018.

Sec. 3. RCW 59.18.253 and 2011 c 132 s 12 are each amended to read as follows:

(1) It shall be unlawful for a landlord to require a fee or deposit from a prospective tenant for the privilege of being placed on a waiting list to be considered as a tenant for a dwelling unit.

(2) A landlord who charges a prospective tenant a fee or deposit to hold a dwelling unit or secure that the prospective tenant will move into a dwelling unit, after the dwelling unit has been offered to the prospective tenant, must provide the prospective tenant with a receipt for the fee or deposit, together with a written statement of the conditions, if any, under which the fee or deposit may be retained, immediately upon payment of the fee or deposit.

(3) A landlord may not request a fee or deposit to hold a dwelling or secure that the prospective tenant will move into the dwelling unit in excess of one-third of the first month's rent as described in section 1(4) of this act.

(4)(a) If the prospective tenant does occupy the dwelling unit, then the landlord must credit the amount of the fee or deposit to the tenant's first month's rent or to the tenant's security deposit. If the prospective tenant does not occupy the dwelling unit, then the landlord may keep up to the full amount of any fee or deposit that was paid by the prospective tenant to secure the tenancy, so long as it is in accordance with the written statement of conditions furnished to the prospective tenant at the time the fee or deposit was charged.

(b) A fee or deposit to hold a dwelling unit or secure that the prospective tenant will move into a dwelling unit under this subsection does not include any cost charged by a landlord to use a tenant screening service or obtain background information on a prospective tenant.

(c) A portion of the fee or deposit may not be withheld if the dwelling unit fails a tenant-based rental assistance program inspection by a qualified inspector as defined in RCW 59.18.030. If the inspection does not occur within ten days from the date of collection of the fee or deposit or a longer period of time that the landlord and tenant may agree upon, the landlord may notify the tenant that the dwelling unit will no longer be held. The landlord shall promptly return the fee or deposit to the prospective tenant after the landlord is notified that the dwelling unit failed the inspection or the landlord has notified the tenant that the dwelling unit will no longer be held. The landlord complies with this section by promptly depositing the fee or deposit in the United States mail properly addressed with first-class postage prepaid.

~~((4))~~ (5) In any action brought for a violation of this section, a landlord may be liable for the amount of the fee or deposit charged. In addition, any landlord who violates this section may be liable to the prospective tenant for an amount not to exceed two times the fee or deposit. The prevailing party may also recover court costs and a reasonable attorneys' fee."

On page 1, line 2 of the title, after "installments;" strike the remainder of the title and insert "amending RCW 43.31.605 and 59.18.253; and adding a new section to chapter 59.18 RCW."

MOTION

On motion of Senator Mullet, Senator McCoy was excused.

MOTION

Senator Fortunato moved that the following floor amendment no. 1237 by Senators Fortunato and Wilson, L. be adopted:

On page 1, line 5, after "(b)" insert "and (c)"

On page 1, after line 13, insert the following:

"(c) The requirement that a landlord must permit the tenant to pay any deposits, nonrefundable fees, and last month's rent in installments does not apply to rental property that is located within a city, town, or county that has enacted an ordinance that limits the ability of a property owner to commence or complete an unlawful detainer action during specific months or times of the year unless the city, town, or county compensates the landlord for the cost of rent, as defined in RCW 59.18.030."

Senator Fortunato spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Mullet spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1237 by Senators Fortunato and Wilson, L. on page 1, line 5 to the committee striking amendment.

The motion by Senator Fortunato did not carry and floor amendment no. 1237 was not adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Wilson, L. and without objection, floor amendment no. 1238 by Senator Wilson, L. on page 1, line 5 to the committee striking amendment was withdrawn.

MOTION

Senator Mullet moved that the following floor amendment no. 1224 by Senator Mullet be adopted:

On page 2, line 1, after "excess of" strike "one-third" and insert "twenty-five percent"

On page 2, beginning on line 1, after "rent." strike all material through "begins." on line 3

On page 8, line 28, after "excess of" strike "one-third" and insert "twenty-five percent"

Senators Mullet and Wilson, L. 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 floor amendment no. 1224 by Senator Mullet on page 2, line 1 to the committee striking amendment.

The motion by Senator Mullet carried and floor amendment no. 1224 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 Financial Institutions, Economic Development & Trade as amended to Engrossed House Bill No. 1694.

The motion by Senator Mullet carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Mullet, the rules were suspended, Engrossed House Bill No. 1694 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 Mullet and Braun spoke in favor of passage of the bill.

Senators Wilson, L. and Wagoner spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1694 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1694 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 30; Nays, 17; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, Lovelett, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Ericksen, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick and Wilson, L.

Excused: Senators McCoy and Sheldon

ENGROSSED HOUSE BILL NO. 1694 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. 2343, by House Committee on Environment & Energy (originally sponsored by Fitzgibbon, Frame, Macri, Doglio, Tharinger and Pollet)

Concerning urban housing supply.

The measure was read the second time.

MOTION

Senator Salomon moved that the following committee striking amendment by the Committee on Housing Stability & Affordability be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 36.70A.600 and 2019 c 348 s 1 are each amended to read as follows:

(1) A city planning pursuant to RCW 36.70A.040 is encouraged to take the following actions in order to increase its residential building capacity:

(a) Authorize development in one or more areas of not fewer than five hundred acres that include at least one train station served by commuter rail or light rail with an average of at least fifty residential units per acre that require no more than an average of one on-site parking space per two bedrooms in the portions of multifamily zones that are located within the areas;

(b) Authorize development in one or more areas of not fewer than ~~((five))~~ two hundred acres in cities with a population greater than forty thousand or not fewer than ~~((two))~~ one hundred ~~((fifty))~~ acres in cities with a population less than forty thousand that include at least one bus stop served by scheduled bus service of at least four times per hour for twelve or more hours per day with an average of at least twenty-five residential units per acre that require no more than an average of one on-site parking space per two bedrooms in portions of the multifamily zones that are located within the areas;

(c) Authorize at least one duplex, triplex, quadplex, sixplex, stacked flat, townhouse, or courtyard apartment on each parcel in one or more zoning districts that permit single-family residences unless a city documents a specific infrastructure of physical constraint that would make this requirement unfeasible for a particular parcel;

(d) Authorize a duplex, triplex, quadplex, sixplex, stacked flat, townhouse, or courtyard apartment on one or more parcels for which they are not currently authorized;

(e) Authorize cluster zoning or lot size averaging in all zoning districts that permit single-family residences;

~~((e)) Authorize attached accessory dwelling units on all parcels containing single family homes where the lot is at least three thousand two hundred square feet in size, and permit both attached and detached accessory dwelling units on all parcels containing single family homes, provided lots are at least four thousand three hundred fifty six square feet in size. Qualifying~~

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

city ordinances or regulations may not provide for on-site parking requirements, owner occupancy requirements, or square footage limitations below one thousand square feet for the accessory dwelling unit, and must not prohibit the separate rental or sale of accessory dwelling units and the primary residence. Cities must set applicable impact fees at no more than the projected impact of the accessory dwelling unit. To allow local flexibility, other than these factors, accessory dwelling units may be subject to such regulations, conditions, procedures, and limitations as determined by the local legislative authority, and must follow all applicable state and federal laws and local ordinances;))

- (f) Adopt a subarea plan pursuant to RCW 43.21C.420;
- (g) Adopt a planned action pursuant to RCW 43.21C.440(1)(b)(ii), except that an environmental impact statement pursuant to RCW 43.21C.030 is not required for such an action;
- (h) Adopt increases in categorical exemptions pursuant to RCW 43.21C.229 for residential or mixed-use development;
- (i) Adopt a form-based code in one or more zoning districts that permit residential uses. "Form-based code" means a land development regulation that uses physical form, rather than separation of use, as the organizing principle for the code;
- (j) Authorize a duplex on each corner lot within all zoning districts that permit single-family residences;
- (k) Allow for the division or redivision of land into the maximum number of lots through the short subdivision process provided in chapter 58.17 RCW; (~~and~~)
- (l) Authorize a minimum net density of six dwelling units per acre in all residential zones, where the residential development capacity will increase within the city. For purposes of this subsection, the calculation of net density does not include the square footage of areas that are otherwise prohibited from development, such as critical areas, the area of buffers around critical areas, and the area of roads and similar features;
- (m) Create one or more zoning districts of medium density in which individual lots may be no larger than three thousand five hundred square feet and single-family residences may be no larger than one thousand two hundred square feet;
- (n) Authorize accessory dwelling units in one or more zoning districts in which they are currently prohibited;
- (o) Remove minimum residential parking requirements related to accessory dwelling units;
- (p) Remove owner occupancy requirements related to accessory dwelling units;
- (q) Adopt new square footage requirements related to accessory dwelling units that are less restrictive than existing square footage requirements related to accessory dwelling units;
- (r) Adopt maximum allowable exemption levels in WAC 197-11-800(1) as it existed on the effective date of this section, or such subsequent date as may be provided by the department of ecology by rule, consistent with the purposes of this section;
- (s) Adopt standards for administrative approval of final plats pursuant to RCW 58.17.100;
- (t) Adopt ordinances authorizing administrative review of preliminary plats pursuant to RCW 58.17.095;
- (u) Adopt other permit process improvements where it is demonstrated that the code, development regulation, or ordinance changes will result in a more efficient permit process for customers;
- (v) Update use matrices and allowable use tables that eliminate conditional use permits and administrative conditional use permits for all housing types, including single-family homes, townhomes, multifamily housing, low-income housing, and senior housing, but excluding essential public facilities;

(w) Allow off-street parking to compensate for lack of on-street parking when private roads are utilized or a parking demand study shows that less parking is required for the project;

(x) Develop a local program that offers homeowners a combination of financing, design, permitting, or construction support to build accessory dwelling units. A city may condition this program on a requirement to provide the unit for affordable home ownership or rent the accessory dwelling unit for a defined period of time to either tenants in a housing subsidy program as defined in RCW 43.31.605(14) or to tenants whose income is less than eighty percent of the city or county median family income. If the city includes an affordability requirement under the program, it must provide additional incentives, such as:

- (i) Density bonuses;
- (ii) Height and bulk bonuses;
- (iii) Fee waivers or exemptions;
- (iv) Parking reductions; or
- (v) Expedited permitting; and
- (y) Develop a local program that offers homeowners a combination of financing, design, permitting, or construction support to convert a single-family home into a duplex, triplex, or quadplex where those housing types are authorized. A local government may condition this program on a requirement to provide a certain number of units for affordable home ownership or to rent a certain number of the newly created units for a defined period of time to either tenants in a housing subsidy program as defined in RCW 43.31.605(14) or to tenants whose income is less than eighty percent of the city or county median family income. If the city includes an affordability requirement, it must provide additional incentives, such as:
 - (i) Density bonuses;
 - (ii) Height and bulk bonuses;
 - (iii) Fee waivers or exemptions;
 - (iv) Parking reductions; or
 - (v) Expedited permitting.

(2) A city planning pursuant to RCW 36.70A.040 may adopt a housing action plan as described in this subsection. The goal of any such housing plan must be to encourage construction of additional affordable and market rate housing in a greater variety of housing types and at prices that are accessible to a greater variety of incomes, including strategies aimed at the for-profit single-family home market. A housing action plan may utilize data compiled pursuant to RCW 36.70A.610. The housing action plan should:

- (a) Quantify existing and projected housing needs for all income levels, including extremely low-income households, with documentation of housing and household characteristics, and cost-burdened households;
- (b) Develop strategies to increase the supply of housing, and variety of housing types, needed to serve the housing needs identified in (a) of this subsection;
- (c) Analyze population and employment trends, with documentation of projections;
- (d) Consider strategies to minimize displacement of low-income residents resulting from redevelopment;
- (e) Review and evaluate the current housing element adopted pursuant to RCW 36.70A.070, including an evaluation of success in attaining planned housing types and units, achievement of goals and policies, and implementation of the schedule of programs and actions;
- (f) Provide for participation and input from community members, community groups, local builders, local realtors, nonprofit housing advocates, and local religious groups; and
- (g) Include a schedule of programs and actions to implement the recommendations of the housing action plan.

(3) If adopted by April 1, ((2021)) 2023, ordinances, amendments to development regulations, and other nonproject actions taken by a city to implement the actions specified in subsection (1) of this section, with the exception of the action specified in subsection (1)(f) of this section, are not subject to administrative or judicial appeal under chapter 43.21C RCW.

(4) Any action taken by a city prior to April 1, ((2021)) 2023, to amend their comprehensive plan, or adopt or amend ordinances or development regulations, solely to enact provisions under subsection (1) of this section is not subject to legal challenge under this chapter.

(5) In taking action under subsection (1) of this section, cities are encouraged to utilize strategies that increase residential building capacity in areas with frequent transit service and with the transportation and utility infrastructure that supports the additional residential building capacity.

(6) A city ((with a population over twenty thousand)) that is planning to take at least two actions under subsection (1) of this section, and that action will occur between July 28, 2019, and April 1, 2021, is eligible to apply to the department for planning grant assistance of up to one hundred thousand dollars, subject to the availability of funds appropriated for that purpose. The department shall develop grant criteria to ensure that grant funds awarded are proportionate to the level of effort proposed by a city, and the potential increase in housing supply or regulatory streamlining that could be achieved. Funding may be provided in advance of, and to support, adoption of policies or ordinances consistent with this section. A city can request, and the department may award, more than one hundred thousand dollars for applications that demonstrate extraordinary potential to increase housing supply or regulatory streamlining.

(7) A city seeking to develop a housing action plan under subsection (2) of this section is eligible to apply to the department for up to one hundred thousand dollars.

(8) The department shall establish grant award amounts under subsections (6) and (7) of this section based on the expected number of cities that will seek grant assistance, to ensure that all cities can receive some level of grant support. If funding capacity allows, the department may consider accepting and funding applications from cities with a population of less than twenty thousand if the actions proposed in the application will create a significant amount of housing capacity or regulatory streamlining and are consistent with the actions in this section.

(9) In implementing chapter 348, Laws of 2019, cities are encouraged to prioritize the creation of affordable, inclusive neighborhoods and to consider the risk of residential displacement, particularly in neighborhoods with communities at high risk of displacement.

Sec. 2. RCW 43.21C.495 and 2019 c 348 s 4 are each amended to read as follows:

If adopted by April 1, ((2021)) 2023, amendments to development regulations and other nonproject actions taken by a city to implement RCW 36.70A.600 (1) or (4), with the exception of the action specified in RCW 36.70A.600(1)(f), are not subject to administrative or judicial appeals under this chapter.

Sec. 3. RCW 36.70A.620 and 2019 c 348 s 5 are each amended to read as follows:

In counties and cities planning under RCW 36.70A.040, minimum residential parking requirements mandated by municipal zoning ordinances for housing units constructed after July 1, 2019, are subject to the following requirements:

(1) For housing units that are affordable to very low-income or extremely low-income individuals and that are located within one-quarter mile of a transit stop that receives transit service at least ((four)) two times per hour for twelve or more hours per day, minimum residential parking requirements may be no greater than

one parking space per bedroom or .75 space per unit. A city may require a developer to record a covenant that prohibits the rental of a unit subject to this parking restriction for any purpose other than providing for housing for very low-income or extremely low-income individuals. The covenant must address price restrictions and household income limits and policies if the property is converted to a use other than for low-income housing. A city may establish a requirement for the provision of more than one parking space per bedroom or .75 space per unit if the jurisdiction has determined a particular housing unit to be in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the unit.

(2) For housing units that are specifically for seniors or people with disabilities, that are located within one-quarter mile of a transit stop that receives transit service at least four times per hour for twelve or more hours per day, a city may not impose minimum residential parking requirements for the residents of such housing units, subject to the exceptions provided in this subsection. A city may establish parking requirements for staff and visitors of such housing units. A city may establish a requirement for the provision of one or more parking space per bedroom if the jurisdiction has determined a particular housing unit to be in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the unit. A city may require a developer to record a covenant that prohibits the rental of a unit subject to this parking restriction for any purpose other than providing for housing for seniors or people with disabilities.

(3) For market rate multifamily housing units that are located within one-quarter mile of a transit stop that receives transit service from at least one route that provides service at least four times per hour for twelve or more hours per day, minimum residential parking requirements may be no greater than one parking space per bedroom or .75 space per unit. A city or county may establish a requirement for the provision of more than one parking space per bedroom or .75 space per unit if the jurisdiction has determined a particular housing unit to be in an area with a lack of access to street parking capacity, physical space impediments, or other reasons supported by evidence that would make on-street parking infeasible for the unit.

Sec. 4. RCW 43.21C.500 and 2019 c 348 s 6 are each amended to read as follows:

Project actions described in this section that pertain to residential, multifamily, or mixed-use development evaluated under this chapter by a city or town planning under RCW 36.70A.040 are exempt from appeals under this chapter on the basis of the evaluation of or impacts to the following elements of the environment, provided that the appropriate requirements for a particular element of the environment, as set forth in subsections (1) and (2) of this section, are met.

(1) Transportation. A project action pertaining to residential, multifamily, or mixed-use development evaluated under this chapter by a city or town planning under RCW 36.70A.040 is exempt from appeals under this chapter on the basis of the evaluation of or impacts to transportation elements of the environment, so long as the project does not present significant adverse impacts to the state-owned transportation system as determined by the department of transportation and the project is:

(a)(i) Consistent with a locally adopted transportation plan; or
(ii) Consistent with the transportation element of a comprehensive plan; and

(b)(i) A project for which traffic or parking impact fees are imposed pursuant to RCW 82.02.050 through 82.02.090; or

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

(ii) A project for which traffic or parking impacts are expressly mitigated by an ordinance, or ordinances, of general application adopted by the city or town.

(2) Aesthetics. A project action pertaining to residential, multifamily, or mixed-use development evaluated under this chapter by a city or town planning under RCW 36.70A.040 is exempt from appeals under this chapter on the basis of the evaluation of or impacts to the aesthetics element of the environment, so long as the project is subject to design review pursuant to adopted design review requirements at the local government level. For purposes of this subsection, "design review" means a formally adopted local government process by which projects are reviewed for compliance with design standards for the type of use adopted through local ordinance.

(3) For purposes of this section, "impacts to transportation elements of the environment" include impacts to transportation systems; vehicular traffic; waterborne, rail, and air traffic; parking; movement or circulation of people or goods; and traffic hazards.

Sec. 5. RCW 36.70A.030 and 2019 c 348 s 2 are each reenacted and 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) "Affordable housing" means, unless the context clearly indicates otherwise, residential housing whose monthly costs, including utilities other than telephone, do not exceed thirty percent of the monthly income of a household whose income is:

(a) For rental housing, sixty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development; or

(b) For owner-occupied housing, eighty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

(3) "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.

(4) "City" means any city or town, including a code city.

(5) "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.

(6) "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.

(7) "Department" means the department of commerce.

(8) "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.

(9) "Extremely low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below thirty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

(10) "Forestland" 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 forestland 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 forestland to other uses.

(11) "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. Such facilities are both urban and rural development for purposes of this chapter. "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 "crude oil" as defined in RCW 90.56.010.

(12) "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.

(13) "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.

(14) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below eighty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

(15) "Minerals" include gravel, sand, and valuable metallic substances.

(16) "Permanent supportive housing" is subsidized, leased housing with no limit on length of stay ~~(, paired with on-site or off-site voluntary services designed to support a person living with a disability to be a successful tenant in a housing arrangement, improve the resident's health status, and connect residents of the housing with community-based health care, treatment, and employment services))~~ that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to

entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

(17) "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.

(18) "Public services" include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

(19) "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.

(20) "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;

(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.

(21) "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 does not refer to agriculture or forestry activities that may be conducted in rural areas.

(22) "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).

(23) "Short line railroad" means those railroad lines designated class II or class III by the United States surface transportation board.

(24) "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.

(25) "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.

(26) "Urban growth areas" means those areas designated by a county pursuant to RCW 36.70A.110.

(27) "Very low-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below fifty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

(28) "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.

NEW SECTION. Sec. 6. The department of ecology shall remove parking as an element of the environment within WAC 197-11-444 and as a component of the environmental checklist within WAC 197-11-960, as those sections existed on the effective date of this section, the next time that the department amends rules implementing chapter 43.21C RCW after the effective date of this section.

Sec. 7. RCW 36.70A.610 and 2019 c 348 s 3 are each amended to read as follows:

(1) The Washington center for real estate research at the University of Washington shall produce a ~~((report every two years))~~ series of reports as described in this section that compiles housing supply and affordability metrics for each city planning under RCW 36.70A.040 with a population of ten thousand or more.

(a) The initial report, completed by October 15, 2020, must be a compilation of objective criteria relating to ~~((development regulations, zoning,))~~ income, employment, housing and rental prices, housing affordability ~~((programs))~~ by housing tenure, and other metrics relevant to assessing housing supply and affordability for all income segments, including the percentage of cost-burdened households ~~((s))~~ of each ~~((city subject to the report required by this section))~~ jurisdiction. This report may also

FIFTY FIRST DAY, MARCH 3, 2020

2020 REGULAR SESSION

include city-specific median income data for those cities implementing the multifamily tax exemption program under chapter 84.14 RCW.

(b) The report completed by October 15, 2021, must include an analysis of the private rental housing market for each area outlining the number of units, vacancy rates, and rents by unit type, where possible. This analysis should separate market rate multifamily rental housing developments and other smaller scale market rate rental housing. This analysis should also incorporate data from the Washington state housing finance commission on subsidized rental housing in the area consistent with the first report under this subsection.

(c) The report completed by October 15, 2022, must also include data relating to actions taken by cities under chapter 348, Laws of 2019 as well as detailed information on development regulations, levies and fees, and zoning related to housing development.

(d) The report completed by October 15, 2024, and every two years thereafter, must also include relevant data relating to buildable lands reports prepared under RCW 36.70A.215, where applicable, and updates to comprehensive plans under this chapter.

(2) The Washington center for real estate research shall collaborate with the Washington housing finance commission and the office of financial management to develop the metrics compiled in the ((report)) series of reports under this section.

(3) The ((report)) series of reports under this section must be submitted, consistent with RCW 43.01.036, to the standing committees of the legislature with jurisdiction over housing issues and this chapter."

On page 1, line 1 of the title, after "supply;" strike the remainder of the title and insert "amending RCW 36.70A.600, 43.21C.495, 36.70A.620, 43.21C.500, and 36.70A.610; reenacting and amending RCW 36.70A.030; and creating a new section."

MOTION

Senator Liias moved that the following floor amendment no. 1225 by Senator Liias be adopted:

On page 8, beginning on line 1, strike all of section 4
 Renumber the remaining sections consecutively and correct any internal references accordingly.
 On page 15, line 30, after "36.70A.620," strike "43.21C.500,"

Senator Liias spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Zeiger spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1225 by Senator Liias on page 8, line 1 to the committee striking amendment.

The motion by Senator Liias carried and floor amendment no. 1225 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 Housing Stability & Affordability as amended to Substitute House Bill No. 2343.

The motion by Senator Salomon carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Salomon, the rules were suspended, Substitute House Bill No. 2343 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 Salomon and Zeiger 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. 2343 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2343 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 36; Nays, 11; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Conway, Ericksen, Hasegawa, Honeyford, Padden, Rivers, Schoesler, Short and Wilson, L.

Excused: Senators McCoy and Sheldon

SUBSTITUTE HOUSE BILL NO. 2343 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. 2673, by House Committee on Environment & Energy (originally sponsored by Barkis, Griffey, Gildon, Steele, Ybarra, Smith, Chambers, Boehnke, Hoff, Vick, Eslick, Volz, Graham, Jenkin, Klippert, Van Werven, Tharinger and Dufault)

Concerning exemptions for infill development under the state environmental policy act.

The measure was read the second time.

MOTION

On motion of Senator Kuderer, the rules were suspended, Substitute House Bill No. 2673 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and Zeiger 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. 2673.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2673 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins,

Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Conway, Ericksen, Fortunato and Rolfes

Excused: Senators McCoy and Sheldon

SUBSTITUTE HOUSE BILL NO. 2673, having received the 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. 1755, by Representatives Leavitt, Van Werven, Bergquist, Corry, Ybarra, Volz, Pollet, Dent, Lovick, Doglio, Ormsby and Santos

Allowing regional universities to offer doctorate level degrees in education.

The measure was read the second time.

MOTION

On motion of Senator Randall, the rules were suspended, House Bill No. 1755 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and Holy 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. 1755.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1755 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators McCoy and Sheldon

HOUSE BILL NO. 1755, having received the 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 9:34 p.m., on motion of Senator Lias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, March 4, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

FIFTY SECOND DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, March 4, 2020

The Senate was called to order at 10:03 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all senators were present with the exception of Senator Becker.

The Sons of the American Revolution Color Guard consisting of Mr. Art Dolan; Mr. Michael Moore; Mr. Matthew Bendickson; and Mr. Michael Bendickson, presented the Colors. Page Miss Sophia Vernon led the Senate in the Pledge of Allegiance. The prayer was offered by Rabbi Yosef Schtroks of the Chabad Jewish Center, Olympia.

MOTION

On motion of Senator Liias, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Liias, 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.

MOTION TO LIMIT DEBATE

Pursuant to Rule 29, on motion of Senator Liias 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 Liias, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6697 by Senators O'Ban, Zeiger, Becker, Schoesler, and Wilson, L.

AN ACT Relating to increasing voter participation in the presidential primary; and amending RCW 29A.40.091, 29A.56.040, and 29A.56.050.

Referred to Committee on State Government, Tribal Relations & Elections.

SB 6698 by Senator Ericksen

AN ACT Relating to increasing transparency for renewable energy credit transactions; and adding a new chapter to Title 80 RCW.

Referred to Committee on Environment, Energy & Technology.

MOTIONS

On motion of Senator Liias, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Liias, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 3, 2020

MR. PRESIDENT:

The House has passed:

- ENGROSSED SENATE BILL NO. 5165,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5522,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5591,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6028,
- SUBSTITUTE SENATE BILL NO. 6029,
- SUBSTITUTE SENATE BILL NO. 6037,
- SENATE BILL NO. 6038,
- SUBSTITUTE SENATE BILL NO. 6048,
- SUBSTITUTE SENATE BILL NO. 6051,
- SUBSTITUTE SENATE BILL NO. 6052,
- SUBSTITUTE SENATE BILL NO. 6061,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6063,
- SENATE BILL NO. 6131,
- SENATE BILL NO. 6136,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6261,
- SENATE BILL NO. 6326,
- SENATE BILL NO. 6374,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6378,
- SUBSTITUTE SENATE BILL NO. 6409,
- SUBSTITUTE SENATE BILL NO. 6500,
- SUBSTITUTE SENATE BILL NO. 6526,
- SENATE BILL NO. 6551,
- SUBSTITUTE SENATE BILL NO. 6670,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the eighth order of business.

MOTION

Senator Frockt moved adoption of the following resolution:

SENATE RESOLUTION
8705

By Senators Frockt and Wagoner

WHEREAS, Justice Rosselle Pekelis, a champion for equality and civil rights, who dedicated her professional life to serving with impartiality and care as a judge on multiple courts of our state's judicial branch, passed away on December 9, 2019, surrounded by family; and

WHEREAS, Her childhood spent in hiding from Nazis taught her the dangers of prejudice and discrimination, lessons that

informed her adult life after she and her family escaped Europe and arrived safely in New York; and

WHEREAS, She decided to pursue law school at the University of Missouri after devoting a decade to raising her three children, overcoming societal resistance to the idea of a mother practicing law at the highest level; and

WHEREAS, She moved her family to Seattle to follow her dreams and began working for the law firm MacDonald Hoague & Bayless, and later Helsell, Fetterman, Martin, Todd & Hokanson; and

WHEREAS, She was appointed to the King County Superior Court by Governor Dixy Lee Ray in 1981, and was appointed to the Court of Appeals by Governor Booth Gardner in 1986, where she issued an opinion that women could not be excused from juries solely based on their gender, cementing her status as a trailblazer for women in law; and

WHEREAS, In 1995, she became just the fourth woman justice and the second Jewish member to serve on the state Supreme Court, where she was regarded with wide respect throughout the legal community for her intelligence and even application of the law in a wide variety of cases; and

WHEREAS, She pushed boundaries for the benefit of all women, showing that regardless of gender, age, or background, what matters is the competence you bring to the bench; and

WHEREAS, In her retirement from the Court, she and other former Washington state Superior Court Judges founded Judicial Dispute Resolution so they could continue to provide highly qualified mediation and arbitration services to Washington citizens; and

WHEREAS, Judicial Dispute Resolution is to this day a successful business, and has donated generously to charity since its inception, demonstrating the values of its founders; and

WHEREAS, She is survived by her husband, Frank Retman, six children, Melissa Standish, Alex Higgins, Jenny Zavatsky, Zach Pekelis Jones, Sonnet Retman, Mischa Retman, and ten grandchildren;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize and honor the distinguished life and public service of Justice Rosselle Pekelis; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to members of Justice Pekelis' immediate family.

Senator Frockt 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 Frockt carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced family, friends and colleagues of Justice Pekelis who were seated in the gallery, including: Mr. Frank Retman, spouse of Justice Pekelis; her children, grandchildren, and in-laws; Mr. Michael Johnston, Supreme Court Commissioner; Mr. Walter Burton; Deputy Commissioner; Ms. Susan Carlson, Supreme Court Clerk; and Mr. Sam Thompson, the Court's Reporter of Decisions.

MOTION

On motion of Senator Liias, 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 Rivers moved adoption of the following resolution:

SENATE RESOLUTION

8707

By Senators Rivers, Wagoner, and Das

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 nearly one hundred thirteen thousand courageous Americans awaiting a lifesaving organ transplant, with twenty individuals losing their lives every day because of the shortage of organs for transplant; 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 healed; and

WHEREAS, Organ donation offers transplant 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 saved 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; and

WHEREAS, Donate Life America has designated April as National Donate Life Month;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor April as National Donate Life Month to remember those who have donated, and to celebrate the lives of the recipients.

Senators Rivers and Takko 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 Rivers carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced the family of Mr. Gordon Anderson, organ donor, including Ms. Gena Anderson, his mother, who were seated in the gallery.

MOTION

On motion of Senator Liias, the Senate reverted to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wilson, C. moved that Harium J. Martin-Morris, Senate Gubernatorial Appointment No. 9163, be confirmed as a member of the State Board of Education.

Senator Wilson, C. spoke in favor of the motion.

APPOINTMENT OF HARIUM J. MARTIN-MORRIS

The President declared the question before the Senate to be the confirmation of Harium J. Martin-Morris, Senate Gubernatorial Appointment No. 9163, as a member of the State Board of Education.

The Secretary called the roll on the confirmation of Harium J. Martin-Morris, Senate Gubernatorial Appointment No. 9163, 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 Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senator Becker

Harium J. Martin-Morris, Senate Gubernatorial Appointment No. 9163, having received the constitutional majority was declared confirmed as a member of the State Board of Education.

MOTION

On motion of Senator Rivers, Senator Becker was excused.

MOTION

On motion of Senator Wilson, C., Senator Frockt was excused.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2602, by Representatives Morgan, Thai, Pettigrew, Entenman, Lovick, Slatter, Santos, Ryu, Duerr, Appleton, Bergquist, Stonier, Ramos, Leavitt, Corry, Orwall, Dolan, Frame, Valdez, Gregerson, Ortiz-Self, Peterson, Davis, Riccelli, Callan, J. Johnson, Fey, Ramel, Hudgins, Kilduff, Robinson, Irwin, Doglio, Ormsby, Pollet and Macri

Concerning hair discrimination.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, House Bill No. 2602 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 House Bill No. 2602.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2602 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 9; Absent, 1; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Stanford, Takko, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Ericksen, Fortunato, Holy, Honeyford, Padden, Sheldon, Short, Wagoner and Walsh

Absent: Senator Carlyle

Excused: Senator Becker

HOUSE BILL NO. 2602, having received the 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, Senator Carlyle was excused.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2318, by House Committee on Public Safety (originally sponsored by Orwall, Lovick, Slatter, Morgan, Wylie, Mosbrucker and Pollet)

Advancing criminal investigatory practices.

The measure was read the second time.

MOTION

Senator Pedersen 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:

"**Sec. 1.** RCW 5.70.010 and 2015 c 221 s 1 are each amended to read as follows:

(1) In any felony case initially charged as a violent or sex offense, as defined in RCW 9.94A.030, a governmental entity shall preserve any DNA work product that has been secured in connection with the criminal case, including related investigatory reports and records, according to the following guidelines:

(a) Except as provided in (b) of this subsection, where a defendant has been charged and convicted in connection with the case, the DNA work product and investigatory reports and records must be maintained throughout the length of the sentence, including any period of community custody extending through final discharge;

(b) Where a defendant has been convicted and sentenced under RCW 9.94A.507 in connection with the case, the DNA work product and investigatory reports and records must be maintained

for ninety-nine years or until the death of the defendant, whichever is sooner; and

(c) Where no conviction has been made in connection with the case, the DNA work product and investigatory reports and records must be maintained for ninety-nine years or throughout the period of the statute of limitations pursuant to RCW 9A.04.080, whichever is sooner.

(2) Notwithstanding subsection (1) of this section, in any felony case regardless of whether the identity of the offender is known and law enforcement has probable cause sufficient to believe the elements of a violent or sex offense as defined in RCW 9.94A.030 have been committed, a governmental entity shall preserve any DNA work product ~~((including a sexual assault examination kit,))~~ secured in connection with the criminal case and investigatory reports and records for ninety-nine years or throughout the period of the statute of limitations pursuant to RCW 9A.04.080, whichever is sooner.

(3) ~~(For purposes of this section:~~

~~(a) "Amplified DNA" means DNA generated during scientific analysis using a polymerase chain reaction.~~

~~(b) "DNA work product" means (i) product generated during the process of scientific analysis of such material, except amplified DNA, material that had been subjected to DNA extraction, and DNA extracts from reference samples; or (ii) any material contained on a microscope slide, swab, in a sample tube, cutting, DNA extract, or some other similar retention method used to isolate potential biological evidence that has been collected by law enforcement as part of its investigation and prepared for scientific analysis, whether or not it is submitted for scientific analysis and derived from:~~

~~(A) The contents of a sexual assault examination kit;~~

~~(B) Blood;~~

~~(C) Semen;~~

~~(D) Hair;~~

~~(E) Saliva;~~

~~(F) Skin tissue;~~

~~(G) Fingerprints;~~

~~(H) Bones;~~

~~(I) Teeth; or~~

~~(J) Any other identifiable human biological material or physical evidence.~~

Notwithstanding the foregoing, "DNA work product" does not include a reference sample collected unless it has been shown through DNA comparison to associate the source of the sample with the criminal case for which it was collected.

~~(c) "Governmental entity" means any general law enforcement agency or any person or organization officially acting on behalf of the state or any political subdivision of the state involved in the collection, examination, tracking, packaging, storing, or disposition of biological material collected in connection with a criminal investigation relating to a felony offense.~~

~~(d) "Reference sample" means a known sample collected from an individual by a governmental entity for the purpose of comparison to DNA profiles developed in a criminal case.~~

(4)) The failure of a law enforcement agency to preserve DNA work product does not constitute grounds in any criminal proceeding for challenging the admissibility of other DNA work product that was preserved in a case, and any evidence offered may not be excluded by a court on those grounds. The court may not set aside the conviction or sentence or order the reversal of a conviction under this section on the grounds that the DNA work product is no longer available. Unless the court finds that DNA work product was destroyed with malicious intent to violate this section, a person accused of committing a crime against a person has no cause of action against a law enforcement agency for failure to comply with the requirements of this section. If the court

finds that DNA work product was destroyed with malicious intent to violate this section, the court may impose appropriate sanctions. Nothing in this section may be construed to create a private right of action on the part of any individual or entity against any law enforcement agency or any contractor of a law enforcement agency.

NEW SECTION. Sec. 2. A new section is added to chapter 5.70 RCW to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Amplified DNA" means DNA generated during scientific analysis using a polymerase chain reaction.

(2) "DNA work product" means (a) product generated during the process of scientific analysis of such material, except amplified DNA, material that had been subjected to DNA extraction, screening byproducts, and DNA extracts from reference samples; or (b) any material contained on a microscope slide, swab, in a sample tube, cutting, DNA extract, or some other similar retention method used to isolate potential biological evidence that has been collected by law enforcement or a forensic nurse as part of an investigation and prepared for scientific analysis, whether or not it is submitted for scientific analysis and derived from:

(i) The contents of a sexual assault examination kit;

(ii) Blood;

(iii) Semen;

(iv) Hair;

(v) Saliva;

(vi) Skin tissue;

(vii) Fingerprints;

(viii) Bones;

(ix) Teeth; or

(x) Any other identifiable human biological material or physical evidence.

Notwithstanding the foregoing, "DNA work product" does not include a reference sample collected unless it has been shown through DNA comparison to associate the source of the sample with the criminal case for which it was collected.

(3) "Governmental entity" means any general law enforcement agency or any person or organization officially acting on behalf of the state or any political subdivision of the state involved in the collection, examination, tracking, packaging, storing, or disposition of biological material collected in connection with a criminal investigation relating to a felony offense.

(4) "Reference sample" means a known sample collected from an individual by a governmental entity for the purpose of comparison to DNA profiles developed in a criminal case.

(5) "Screening byproduct" means a product or waste generated during examination of DNA evidence, or the screening process of such evidence, that is not intended for long-term storage.

(6) "Sexual assault kit" includes all evidence collected during a sexual assault medical forensic examination.

(7) "Unreported sexual assault kit" means a sexual assault kit where a law enforcement agency has not received a related report or complaint alleging a sexual assault or other crime has occurred.

NEW SECTION. Sec. 3. A new section is added to chapter 5.70 RCW to read as follows:

(1)(a) Any unreported sexual assault kit collected on or after the effective date of this section must be transported from the collecting entity to the applicable local law enforcement agency.

(b) By January 1, 2021, unreported sexual assault kits collected prior to the effective date of this section and stored according to the requirements of RCW 70.125.101 must be transported to the applicable local law enforcement agency.

(2)(a) The applicable local law enforcement agency is responsible for conducting the transport of the unreported sexual

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

assault kit from the collecting entity to the agency as required under subsection (1) of this section.

(b) The applicable law enforcement agency shall store and preserve the unreported sexual assault kit for twenty years from the date of collection.

(3) The term "applicable local law enforcement agency" refers to the local law enforcement agency that would have jurisdiction to investigate any related criminal allegations if they were to be reported to law enforcement. The applicable local law enforcement agency is determined through consultation between the collecting entity or, in the case of unreported sexual assault kits stored according to the requirements of RCW 70.125.101, the Washington state patrol, and local law enforcement agencies.

Sec. 4. RCW 70.125.090 and 2019 c 93 s 6 are each amended to read as follows:

(1) When a law enforcement agency receives a sexual assault kit, the law enforcement agency must, within thirty days of its receipt, submit a request for laboratory examination to the Washington state patrol crime laboratory for prioritization for testing by it or another accredited laboratory that holds an outsourcing agreement with the Washington state patrol if:

(a) The law enforcement agency has received a related report or complaint alleging a sexual assault or other crime has occurred; and

(b)(i) Consent for laboratory examination has been given by the victim; or

(ii) The victim is a person under the age of eighteen who is not emancipated pursuant to chapter 13.64 RCW.

(2) Beginning May 1, 2022, when the Washington state patrol receives a request for laboratory examination of a sexual assault kit from a law enforcement agency, the Washington state patrol shall conduct the laboratory examination of the sexual assault kit, and when appropriate, enter relevant information into the combined DNA index system, within forty-five days of receipt of the request. The Washington state patrol crime laboratory must give priority to the laboratory examination of sexual assault kits at the request of a local law enforcement agency for:

(a) Active investigations and cases with impending court dates;

(b) Active investigations where public safety is an immediate concern;

(c) Violent crimes investigations, including active sexual assault investigations;

(d) Postconviction cases; and

(e) Other crimes' investigations and nonactive investigations, such as previously unsubmitted older sexual assault kits or recently collected sexual assault kits that the submitting agency has determined to be lower priority based on their initial investigation.

(3) The requirements to request and complete laboratory examination of sexual assault kits under subsections (1) and (2) of this section do not include forensic toxicological analysis. However, nothing in this section limits or modifies the authority of a law enforcement agency to request toxicological analysis of evidence collected in a sexual assault kit.

(4) The failure of a law enforcement agency to submit a request for laboratory examination, or the failure of the Washington state patrol to facilitate laboratory examination, within the time periods prescribed under this section does not constitute grounds in any criminal proceeding for challenging the validity of a DNA evidence association, and any evidence obtained from the sexual assault kit may not be excluded by a court on those grounds.

~~((4))~~ (5) A person accused or convicted of committing a crime against a victim has no standing to object to any failure to comply with the requirements of this section, and the failure to comply

with the requirements of this section is not grounds for setting aside the conviction or sentence.

~~((5))~~ (6) Nothing in this section may be construed to create a private right of action or claim on the part of any individual, entity, or agency against any law enforcement agency or any contractor of any law enforcement agency.

~~((6))~~ (7) This section applies ~~((prospectively only and not retroactively. It only applies))~~ to sexual assault examinations performed on or after July 24, 2015.

~~((7))~~ (8)(a) Until June 30, 2023, the Washington state patrol shall compile the following information related to the sexual assault kits identified in this section and RCW 70.125.100 (as recodified by this act):

(i) The number of requests for laboratory examination made for sexual assault kits and the law enforcement agencies that submitted the requests; and

(ii) The progress made towards testing the sexual assault kits, including the status of requests for laboratory examination made by each law enforcement agency.

(b) The Washington state patrol shall make recommendations for increasing the progress on testing any untested sexual assault kits.

(c) Beginning in 2015, the Washington state patrol shall report its findings and recommendations annually to the appropriate committees of the legislature and the governor by December 1st of each year.

Sec. 5. RCW 70.125.100 and 2019 c 93 s 7 are each amended to read as follows:

(1) Law enforcement agencies shall submit requests for forensic analysis of all sexual assault kits collected prior to July 24, 2015, and in the possession of the agencies to the Washington state patrol crime laboratory by October 1, 2019, except submission for forensic analysis is not required when: (a) Forensic analysis has previously been conducted; (b) there is documentation of an adult victim or emancipated minor victim expressing that he or she does not want his or her sexual assault kit submitted for forensic analysis; or (c) a sexual assault kit is noninvestigatory and held by a law enforcement agency pursuant to an agreement with a hospital or other medical provider. The requirements of this subsection apply regardless of the statute of limitations or the status of any related investigation.

(2) The Washington state patrol crime laboratory may consult with local law enforcement agencies to coordinate the efficient submission of requests for forensic analysis under this section in conjunction with the implementation of the statewide tracking system under RCW 43.43.545, provided that all requests are submitted and all required information is entered into the statewide sexual assault tracking system by October 1, 2019. The Washington state patrol crime laboratory shall facilitate the forensic analysis of all sexual assault kits submitted under this section by December 1, 2021. The analysis may be conducted by the Washington state patrol laboratory or an accredited laboratory holding a contract or agreement with the Washington state patrol. The Washington state patrol shall process the forensic analysis of sexual assault kits in accordance with the priorities in RCW 70.125.090(2) (as recodified by this act).

(3) The requirements to request and complete laboratory examination of sexual assault kits under this section do not include forensic toxicological analysis. However, nothing in this section limits or modifies the authority of a law enforcement agency to request toxicological analysis of evidence collected in a sexual assault kit.

(4) The failure of a law enforcement agency to submit a request for laboratory examination within the time prescribed under this section does not constitute grounds in any criminal proceeding for

challenging the validity of a DNA evidence association, and any evidence obtained from the sexual assault kit may not be excluded by a court on those grounds.

~~((4))~~ (5) A person accused or convicted of committing a crime against a victim has no standing to object to any failure to comply with the requirements of this section, and the failure to comply with the requirements of this section is not grounds for setting aside the conviction or sentence.

~~((5))~~ (6) Nothing in this section may be construed to create a private right of action or claim on the part of any individual, entity, or agency against any law enforcement agency or any contractor of any law enforcement agency.

Sec. 6. RCW 43.43.545 and 2019 c 93 s 4 are each amended 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) Designate sexual assault kits as unreported or reported;

(c) Indicate whether a sexual assault kit contains biological materials collected for the purpose of forensic toxicological analysis;

(d) Allow medical facilities performing sexual assault forensic examinations, law enforcement agencies, prosecutors, the Washington state patrol bureau of forensic laboratory services, and other entities having custody of sexual assault kits to update and track the status and location of sexual assault kits;

~~((4))~~ (e) Allow victims of sexual assault to anonymously track or receive updates regarding the status of their sexual assault kits; and

~~((e))~~ (f) 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 having 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 having 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.

(7) The Washington state patrol shall adopt rules as necessary to implement this section.

(8) For the purposes of this section (~~, an "unreported sexual assault kit" refers to a sexual assault kit collected from a victim who has consented to the collection of the sexual assault kit but who has not reported the alleged crime to law enforcement~~);

(a) "Reported sexual assault kit" means a sexual assault kit where a law enforcement agency has received a related report or complaint alleging a sexual assault or other crime has occurred;

(b) "Sexual assault kit" includes all evidence collected during a sexual assault medical forensic examination; and

(c) "Unreported sexual assault kit" means a sexual assault kit where a law enforcement agency has not received a related report or complaint alleging a sexual assault or other crime has occurred.

Sec. 7. RCW 43.43.754 and 2019 c 443 s 3 are each amended to read as follows:

(1) A biological sample must be collected for purposes of DNA identification analysis from:

(a) Every adult or juvenile individual convicted of a felony, or any of the following crimes (or equivalent juvenile offenses):

(i) Assault in the fourth degree where domestic violence as defined in RCW 9.94A.030 was pleaded and proven (RCW 9A.36.041, 9.94A.030);

(ii) Assault in the fourth degree with sexual motivation (RCW 9A.36.041, 9.94A.835);

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

(iii) Communication with a minor for immoral purposes (RCW 9A.68A.090);

(iv) Custodial sexual misconduct in the second degree (RCW 9A.44.170);

(v) Failure to register (chapter 9A.44 RCW);

(vi) Harassment (RCW 9A.46.020);

(vii) Patronizing a prostitute (RCW 9A.88.110);

(viii) Sexual misconduct with a minor in the second degree (RCW 9A.44.096);

(ix) Stalking (RCW 9A.46.110);

(x) Indecent exposure (RCW 9A.88.010);

(xi) Violation of a sexual assault protection order granted under chapter 7.90 RCW; and

(b) Every adult or juvenile individual who is required to register under RCW 9A.44.130.

(2)(a) A municipal jurisdiction may also submit any biological sample to the laboratory services bureau of the Washington state patrol for purposes of DNA identification analysis when:

(i) The sample was collected from a defendant upon conviction for a municipal offense where the underlying ordinance does not adopt the relevant state statute by reference but the offense is otherwise equivalent to an offense in subsection (1)(a) of this section;

(ii) The equivalent offense in subsection (1)(a) of this section was an offense for which collection of a biological sample was required under this section at the time of the conviction; and

(iii) The sample was collected on or after June 12, 2008, and before January 1, 2020.

(b) When submitting a biological sample under this subsection, the municipal jurisdiction must include a signed affidavit from the municipal prosecuting authority of the jurisdiction in which the conviction occurred specifying the state crime to which the municipal offense is equivalent.

(3) Law enforcement may submit to the forensic laboratory services bureau of the Washington state patrol, for purposes of DNA identification analysis, any lawfully obtained biological sample within its control from a deceased offender who was previously convicted of an offense under subsection (1)(a) of this section, regardless of the date of conviction.

(4) If the Washington state patrol crime laboratory already has a DNA sample from an individual for a qualifying offense, a subsequent submission is not required to be submitted.

(5) Biological samples shall be collected in the following manner:

(a) For persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense, who do not serve a term of confinement in a department of corrections facility or a department of children, youth, and families facility, and are serving a term of confinement in a city or county jail facility, the city or county jail facility shall be responsible for obtaining the biological samples.

(b) The local police department or sheriff's office shall be responsible for obtaining the biological samples for:

(i) Persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense, who do not serve a term of confinement in a department of corrections facility, department of children, youth, and families facility, or a city or county jail facility; and

(ii) Persons who are required to register under RCW 9A.44.130.

(c) For persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense, who are serving or who are to serve a term of confinement in a department of corrections facility or a department of children, youth, and families facility, the facility

holding the person shall be responsible for obtaining the biological samples as part of the intake process. If the facility did not collect the biological sample during the intake process, then the facility shall collect the biological sample as soon as is practicable. For those persons incarcerated before June 12, 2008, who have not yet had a biological sample collected, priority shall be given to those persons who will be released the soonest.

~~((6))~~ (d) For persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense, who will not serve a term of confinement, the court shall ~~((order))~~: Order the person to report to the local police department or sheriff's office as provided under subsection (5)(b)(i) of this section within a reasonable period of time established by the court in order to provide a biological sample; or if the local police department or sheriff's office has a protocol for collecting the biological sample in the courtroom, order the person to immediately provide the biological sample to the local police department or sheriff's office before leaving the presence of the court. The court must further inform the person that refusal to provide a biological sample is a gross misdemeanor under this section.

~~((7))~~ (6) Any biological sample taken pursuant to RCW 43.43.752 through 43.43.758 may be retained by the forensic laboratory services bureau, and shall be used solely for the purpose of providing DNA or other tests for identification analysis and prosecution of a criminal offense or for the identification of human remains or missing persons. Nothing in this section prohibits the submission of results derived from the biological samples to the federal bureau of investigation combined DNA index system.

~~((8))~~ (7) The forensic laboratory services bureau of the Washington state patrol is responsible for testing performed on all biological samples that are collected under this section, to the extent allowed by funding available for this purpose. Known duplicate samples may be excluded from testing unless testing is deemed necessary or advisable by the director.

~~((9))~~ (8) This section applies to:

(a) All adults and juveniles to whom this section applied prior to June 12, 2008;

(b) All adults and juveniles to whom this section did not apply prior to June 12, 2008, who:

(i) Are convicted on or after June 12, 2008, of an offense listed in subsection (1)(a) of this section on the date of conviction; or

(ii) Were convicted prior to June 12, 2008, of an offense listed in subsection (1)(a) of this section and are still incarcerated on or after June 12, 2008;

(c) All adults and juveniles who are required to register under RCW 9A.44.130 on or after June 12, 2008, whether convicted before, on, or after June 12, 2008; and

(d) All samples submitted under subsections (2) and (3) of this section.

~~((40))~~ (9) This section creates no rights in a third person. No cause of action may be brought based upon the noncollection or nonanalysis or the delayed collection or analysis of a biological sample authorized to be taken under RCW 43.43.752 through 43.43.758.

~~((41))~~ (10) The detention, arrest, or conviction of a person based upon a database match or database information is not invalidated if it is determined that the sample was obtained or placed in the database by mistake, or if the conviction or juvenile adjudication that resulted in the collection of the biological sample was subsequently vacated or otherwise altered in any future proceeding including but not limited to posttrial or postfact-finding motions, appeals, or collateral attacks. No cause of action may be brought against the state based upon the analysis

of a biological sample authorized to be taken pursuant to a municipal ordinance if the conviction or adjudication that resulted in the collection of the biological sample was subsequently vacated or otherwise altered in any future proceeding including, but not limited to, posttrial or postfact-finding motions, appeals, or collateral attacks.

~~((42))~~ (11) A person commits the crime of refusal to provide DNA if the person willfully refuses to comply with a legal request for a DNA sample as required under this section. The refusal to provide DNA is a gross misdemeanor.

NEW SECTION. Sec. 8. A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall develop a proposal for a case review program. The commission shall research, design, and develop case review strategies designed to optimize outcomes in sexual assault investigations through improved training and investigatory practices. The proposed program must evaluate whether current training and practices foster a trauma-informed, victim-centered approach to victim interviews that identifies best practices and current gaps in training and assesses the integration of the community resiliency model. The program will include a comparison of cases involving investigators and interviewers who have participated in training to cases involving investigators and interviewers who have not participated in training. The program will also include other randomly selected cases for a systematic review to assess whether current practices conform to national best practices for a multidisciplinary approach to investigating sexual assault cases and interacting with survivors.

(2) In designing the program, the commission shall consult and collaborate with experts in trauma-informed and victim-centered training, experts in sexual assault investigations and prosecutions, victim advocates, and other stakeholders identified by the commission. The commission may form a multidisciplinary working group for the purpose of carrying out the requirements of this section.

(3) The commission shall submit a report with a summary of its proposal to the governor and the appropriate committees of the legislature by December 1, 2020.

(4) This section expires July 1, 2021.

NEW SECTION. Sec. 9. The legislature recognizes that proper storage and preservation of evidence, including maintaining chain of custody requirements, are critical to any successful investigation and prosecution. Unreported sexual assault kits are, therefore, most appropriately stored and preserved by law enforcement agencies. The legislature further recognizes that some agencies are facing storage capacity constraints. Agencies are currently responsible for storing found property, regardless if the property is associated with a criminal investigation. Therefore, the legislature hereby intends to provide flexibility for local governments to designate an alternate entity to store found property in order to allow those agencies with capacity issues to prioritize storage space for evidence and potential evidence in criminal investigations.

Sec. 10. RCW 63.21.010 and 1997 c 237 s 1 are each amended to read as follows:

(1) Any person who finds property that is not unlawful to possess, the owner of which is unknown, and who wishes to claim the found property, shall:

(a) Within seven days of the finding acquire a signed statement setting forth an appraisal of the current market value of the property prepared by a qualified person engaged in buying or selling like items or by a district court judge, unless the found property is cash; and

(b) Within seven days report the find of property and surrender, if requested, the property and a copy of the evidence of the value

of the property to the chief law enforcement officer, ~~((or))~~ his or her designated representative, or other designated entity under section 15 of this act, of the governmental entity where the property was found, and serve written notice upon the officer or designee of the finder's intent to claim the property if the owner does not make out his or her right to it under this chapter.

(2) Within thirty days of the report the governmental entity shall cause notice of the finding to be published at least once a week for two successive weeks in a newspaper of general circulation in the county where the property was found, unless the appraised value of the property is less than the cost of publishing notice. If the value is less than the cost of publishing notice, the governmental entity may cause notice to be posted or published in other media or formats that do not incur expense to the governmental entity.

Sec. 11. RCW 63.21.020 and 1979 ex.s. c 85 s 2 are each amended to read as follows:

The finder's claim to the property shall be extinguished:

(1) If the owner satisfactorily establishes, within sixty days after the find was reported to the appropriate officer or, if so designated under section 15 of this act, the appropriate entity, the owner's right to possession of the property; or

(2) If the chief law enforcement officer or designee determines and so informs the finder that the property is illegal for the finder to possess.

Sec. 12. RCW 63.21.030 and 1997 c 237 s 2 are each amended to read as follows:

(1) The found property shall be released to the finder and become the property of the finder sixty days after the find was reported to the appropriate officer or designee if no owner has been found, or sixty days after the final disposition of any judicial or other official proceeding involving the property, whichever is later. The property shall be released only after the finder has presented evidence of payment to the treasurer of the governmental entity handling the found property, the amount of ten dollars plus the amount of the cost of publication of notice incurred by the ~~((government [governmental]))~~ governmental entity pursuant to RCW 63.21.010, which amount shall be deposited in the general fund of the governmental entity. If the appraised value of the property is less than the cost of publication of notice of the finding, then the finder is not required to pay any fee.

(2) When ninety days have passed after the found property was reported to the appropriate officer or designee, or ninety days after the final disposition of a judicial or other proceeding involving the found property, and the finder has not completed the requirements of this chapter, the finder's claim shall be deemed to have expired and the found property may be disposed of as unclaimed property under chapter 63.32 or 63.40 RCW. Such laws shall also apply whenever a finder states in writing that he or she has no intention of claiming the found property.

Sec. 13. RCW 63.21.050 and 2019 c 30 s 1 are each amended to read as follows:

(1) The chief law enforcement officer ~~((or))~~, his or her designated representative, or other designated entity under section 15 of this act to whom a finder surrenders property, must:

(a) Advise the finder if the found property is illegal for him or her to possess;

(b) Advise the finder if the found property is to be held as evidence in judicial or other official proceedings;

(c) Advise the finder in writing of the procedures to be followed in claiming the found property;

(d) If the property is valued at one hundred dollars or less adjusted for inflation under subsection (2) of this section, allow the finder to retain the property if it is determined there is no reason for the officer or designee to retain the property;

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

(e) If the property exceeds one hundred dollars adjusted for inflation under subsection (2) of this section in value and has been requested to be surrendered to the ~~((law enforcement agency))~~ governmental entity, retain the property for sixty days before it can be claimed by the finder under this chapter, unless the owner has recovered the property;

(f) If the property is held as evidence in judicial or other official proceedings, retain the property for sixty days after the final disposition of the judicial or other official proceeding, before it can be claimed by the finder or owner under the provisions of this chapter;

(g) After the required number of days have passed, and if no owner has been found, surrender the property to the finder according to the requirements of this chapter; or

(h) If neither the finder nor the owner claim the property retained by the officer or designee within thirty days of the time when the claim can be made, the property must be disposed of as unclaimed property under chapter 63.32 or 63.40 RCW.

(2)(a) The office of financial management must adjust the dollar thresholds established in subsection (1)(d) and (e) of this section for inflation every five years, beginning July 1, 2025, based upon changes in the Seattle consumer price index during that time period. The office of financial management must calculate the new dollar threshold and transmit the new dollar threshold, rounded up to the nearest dollar, 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.

(b) For the purposes of determining the thresholds in subsection (1)(d) and (e) of this section, the chief law enforcement officer ~~((or))~~, his or her designated representative, or other designated entity under section 15 of this act must use the latest thresholds published by the office of financial management in the Washington State Register under (a) of this subsection.

Sec. 14. RCW 63.21.060 and 1979 ex.s. c 85 s 6 are each amended to read as follows:

Any governmental entity that acquires lost property shall attempt to notify the apparent owner of the property. If the property is not returned to a person validly establishing ownership or right to possession of the property, the governmental entity shall forward the lost property within thirty days but not less than ten days after the time the governmental entity acquires the lost property to the chief law enforcement officer, ~~((or))~~ his or her designated representative, or other designated entity under section 16 of this act, of the county in which the property was found, except that if the property is found within the borders of a city or town the property shall be forwarded to the chief law enforcement officer of the city or town ~~((or))~~, his or her designated representative, or other entity of the city or town so designated under section 15 of this act. A governmental entity may elect to retain property which it acquires and dispose of the property as provided by chapter 63.32 or 63.40 RCW.

NEW SECTION. Sec. 15. A new section is added to chapter 63.21 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, a county, city, or town may designate an alternate department or governmental entity to accept, store, retain, and dispose of found property as required under this chapter, rather than the chief law enforcement officer or his or her designee, so long as the alternate department or governmental entity complies with the requirements and procedures under this chapter.

(2) Regardless of whether a county, city, or town designates an alternate department or governmental entity under subsection (1) of this section, the chief law enforcement officer or his or her designated representative is responsible for retaining any of the following types of property in accordance with the requirements

of this chapter: A bank card; charge or credit card; cash; government-issued document, financial document, or legal document; firearm; evidence in a judicial or other official proceeding; or an item that is not legal for the finder to possess. A county, city, or town designating an alternate department or governmental entity under subsection (1) of this section shall establish procedures for ensuring these types of property are directed to the chief law enforcement officer or his or her designated representative.

NEW SECTION. Sec. 16. A new section is added to chapter 63.32 RCW to read as follows:

(1) This chapter does not modify the requirements for a police department to accept found property under chapter 63.21 RCW.

(2) If a city or town designates an alternate department or governmental entity to accept found property under section 15 of this act:

(a) The designated department or governmental entity shall comply with the retention and disposition requirements under this chapter in the same manner as would be required of a police department; and

(b) The police department is not required to accept found property from a finder of said property, unless the property is any of the following: A bank card; charge or credit card; cash; government-issued document, financial document, or legal document; firearm; evidence in a judicial or other official proceeding; or an item that is not legal for the finder to possess. Such found property accepted by a police department must be retained or disposed of in accordance with this chapter and other applicable state laws.

NEW SECTION. Sec. 17. A new section is added to chapter 63.40 RCW to read as follows:

(1) This chapter does not modify the requirements for a sheriff to accept found property under chapter 63.21 RCW.

(2) If a county designates an alternate department or governmental entity to accept found property under section 15 of this act:

(a) The designated department or governmental entity shall comply with the disposition requirements under this chapter in the same manner as would be required of the sheriff; and

(b) The sheriff is not required to accept found property from a finder of said property, unless the property is any of the following: A bank card; charge or credit card; cash; government-issued document, financial document, or legal document; firearm; evidence in a judicial or other official proceeding; or an item that is not legal for the finder to possess. Such found property accepted by a sheriff must be retained or disposed of in accordance with this chapter and other applicable state laws.

NEW SECTION. Sec. 18. RCW 70.125.090 and 70.125.100 are each recodified as sections in chapter 5.70 RCW.

NEW SECTION. Sec. 19. Section 3 of this act takes effect June 30, 2020."

On page 1, line 1 of the title, after "practices;" strike the remainder of the title and insert "amending RCW 5.70.010, 70.125.090, 70.125.100, 43.43.545, 43.43.754, 63.21.010, 63.21.020, 63.21.030, 63.21.050, and 63.21.060; adding new sections to chapter 5.70 RCW; adding a new section to chapter 43.101 RCW; adding a new section to chapter 63.21 RCW; adding a new section to chapter 63.32 RCW; adding a new section to chapter 63.40 RCW; creating a new section; recodifying RCW 70.125.090 and 70.125.100; providing an effective date; 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 Law & Justice to Engrossed Substitute House Bill No. 2318.

The motion by Senator Pedersen carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute House Bill No. 2318 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 Pedersen and Padden spoke in favor of passage of the bill.

On motion of Senator Rivers, Senator Wilson, L. was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2318 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2318 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 Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Excused: Senators Becker and Wilson, L.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2318 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. 2394, by House Committee on Public Safety (originally sponsored by Klippert, Goodman, Davis, Ormsby and Appleton)

Concerning community custody.

The measure was read the second time.

MOTION

Senator Darneille moved that the following committee striking amendment by the Committee on Human Services, Reentry & Rehabilitation be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9.94A.589 and 2015 2nd sp.s. c 3 s 13 are each amended to read as follows:

(1)(a) Except as provided in (b), (c), or (d) of this subsection, whenever a person is to be sentenced for two or more current offenses, the sentence range for each current offense shall be determined by using all other current and prior convictions as if they were prior convictions for the purpose of the offender score: PROVIDED, That if the court enters a finding that some or all of the current offenses encompass the same criminal conduct then

those current offenses shall be counted as one crime. Sentences imposed under this subsection shall be served concurrently. Consecutive sentences may only be imposed under the exceptional sentence provisions of RCW 9.94A.535. "Same criminal conduct," as used in this subsection, means two or more crimes that require the same criminal intent, are committed at the same time and place, and involve the same victim. This definition applies in cases involving vehicular assault or vehicular homicide even if the victims occupied the same vehicle.

(b) Whenever a person is convicted of two or more serious violent offenses arising from separate and distinct criminal conduct, the standard sentence range for the offense with the highest seriousness level under RCW 9.94A.515 shall be determined using the offender's prior convictions and other current convictions that are not serious violent offenses in the offender score and the standard sentence range for other serious violent offenses shall be determined by using an offender score of zero. The standard sentence range for any offenses that are not serious violent offenses shall be determined according to (a) of this subsection. All sentences imposed under this subsection (1)(b) shall be served consecutively to each other and concurrently with sentences imposed under (a) of this subsection. Even if the court orders the confinement terms to run consecutively to each other, the terms of community custody shall run concurrently to each other, unless the court expressly orders the community custody terms to run consecutively to each other.

(c) If an offender is convicted under RCW 9.41.040 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, the standard sentence range for each of these current offenses shall be determined by using all other current and prior convictions, except other current convictions for the felony crimes listed in this subsection (1)(c), as if they were prior convictions. The offender shall serve consecutive sentences for each conviction of the felony crimes listed in this subsection (1)(c), and for each firearm unlawfully possessed.

(d) All sentences imposed under RCW 46.61.502(6), 46.61.504(6), or 46.61.505(4) shall be served consecutively to any sentences imposed under RCW 46.20.740 and 46.20.750.

(2)(a) ~~((Except as provided in (b) of this subsection, whenever))~~ Whenever a person while under sentence for conviction of a felony commits another felony and is sentenced to another term of confinement, the latter term of confinement shall not begin until expiration of all prior terms of confinement. However, any terms of community custody shall run concurrently to each other, unless the court pronouncing the current sentence expressly orders that they be served consecutively.

(b) Whenever a second or later felony conviction results in consecutive community ~~((supervision))~~ custody with conditions not currently in effect, under the prior sentence or sentences of community ~~((supervision))~~ custody, the court may require that the conditions of community ~~((supervision))~~ custody contained in the second or later sentence begin during the immediate term of community ~~((supervision))~~ custody and continue throughout the duration of the consecutive term of community ~~((supervision))~~ custody.

(3) Subject to subsections (1) and (2) of this section, whenever a person is sentenced for a felony that was committed while the person was not under sentence for conviction of a felony, the sentence shall run concurrently with any felony sentence which has been imposed by any court in this or another state or by a federal court subsequent to the commission of the crime being sentenced unless the court pronouncing the current sentence expressly orders that ~~((they))~~ the confinement terms be served consecutively to each other. Even if the court orders the confinement terms to run consecutively to each other, the terms

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

of community custody shall run concurrently to each other, unless the court expressly orders the community custody terms to run consecutively to each other.

(4) Whenever any person granted probation under RCW 9.95.210 or 9.92.060, or both, has the probationary sentence revoked and a prison sentence imposed, that sentence shall run consecutively to any sentence imposed pursuant to this chapter, unless the court pronouncing the subsequent sentence expressly orders that they be served concurrently.

(5) In the case of consecutive sentences, all periods of total confinement shall be served before any partial confinement, community restitution, community supervision, or any other requirement or conditions of any of the sentences. Except for exceptional sentences as authorized under RCW 9.94A.535, if two or more sentences that run consecutively include periods of community supervision, the aggregate of the community supervision period shall not exceed twenty-four months.

Sec. 2. RCW 9.94B.050 and 2003 c 379 s 4 are each amended to read as follows:

When a court sentences an offender to a term of total confinement in the custody of the department for any of the offenses specified in this section, the court shall also sentence the offender to a term of community placement as provided in this section. Except as provided in RCW 9.94A.501, the department shall supervise any sentence of community placement imposed under this section.

(1) The court shall order a one-year term of community placement for the following:

(a) A sex offense or a serious violent offense committed after July 1, 1988, but before July 1, 1990; or

(b) An offense committed on or after July 1, 1988, but before July 25, 1999, that is:

(i) Assault in the second degree;

(ii) Assault of a child in the second degree;

(iii) A crime against persons where it is determined in accordance with RCW ((9.94A.602)) 9.94A.825 that the offender or an accomplice was armed with a deadly weapon at the time of commission; or

(iv) A felony offense under chapter 69.50 or 69.52 RCW not sentenced under RCW 9.94A.660.

(2) The court shall sentence the offender to a term of community placement of two years or up to the period of earned release awarded pursuant to RCW 9.94A.728, whichever is longer, for:

(a) An offense categorized as a sex offense committed on or after July 1, 1990, but before June 6, 1996, including those sex offenses also included in other offense categories;

(b) A serious violent offense other than a sex offense committed on or after July 1, 1990, but before July 1, 2000; or

(c) A vehicular homicide or vehicular assault committed on or after July 1, 1990, but before July 1, 2000.

(3) The community placement ordered under this section shall begin either upon completion of the term of confinement or at such time as the offender is transferred to community custody in lieu of earned release. When the court sentences an offender to the statutory maximum sentence then the community placement portion of the sentence shall consist entirely of the community custody to which the offender may become eligible. Any period of community custody actually served shall be credited against the community placement portion of the sentence. The community placement shall run concurrently to any period of probation, parole, community supervision, community placement, or community custody previously imposed by any court in any jurisdiction, unless the court pronouncing the current

sentence expressly orders that they be served consecutively to each other.

(4) Unless a condition is waived by the court, the terms of any community placement imposed under this section shall include the following conditions:

(a) The offender shall report to and be available for contact with the assigned community corrections officer as directed;

(b) The offender shall work at department-approved education, employment, or community restitution, or any combination thereof;

(c) The offender shall not possess or consume controlled substances except pursuant to lawfully issued prescriptions;

(d) The offender shall pay supervision fees as determined by the department; and

(e) The residence location and living arrangements shall be subject to the prior approval of the department during the period of community placement.

(5) As a part of any terms of community placement imposed under this section, the court may also order one or more of the following special conditions:

(a) The offender shall remain within, or outside of, a specified geographical boundary;

(b) The offender shall not have direct or indirect contact with the victim of the crime or a specified class of individuals;

(c) The offender shall participate in crime-related treatment or counseling services;

(d) The offender shall not consume alcohol; or

(e) The offender shall comply with any crime-related prohibitions.

(6) An offender convicted of a felony sex offense against a minor victim after June 6, 1996, shall comply with any terms and conditions of community placement imposed by the department relating to contact between the sex offender and a minor victim or a child of similar age or circumstance as a previous victim.

(7) Prior to or during community placement, upon recommendation of the department, the sentencing court may remove or modify any conditions of community placement so as not to be more restrictive.

NEW SECTION. **Sec. 3.** The department of corrections must recalculate the scheduled end dates for terms of community custody, community supervision, and community placement so that they run concurrently to previously imposed sentences of community custody, community supervision, community placement, probation, and parole, unless the court pronouncing the current sentence has expressly required such terms to run consecutively. This section applies to each offender currently in confinement or under active supervision, regardless of whether the offender is sentenced after the effective date of this section and regardless of whether the offender's date of offense occurred prior to the effective date of this section or after.

NEW SECTION. **Sec. 4.** The legislature declares that the department of corrections' recalculations of community custody terms pursuant to this act do not create any expectations that a particular community custody term will end before July 1, 2020, and offenders have no reason to conclude that the recalculation of their community custody terms before July 1, 2020, is an entitlement or creates any liberty interest in their community custody term ending before July 1, 2020.

NEW SECTION. **Sec. 5.** The department of corrections has the authority to begin implementing this act upon the effective date of this section.

NEW SECTION. **Sec. 6.** This act applies retroactively and prospectively, regardless of the date of an offender's underlying offense."

On page 1, line 1 of the title, after "custody;" strike the remainder of the title and insert "amending RCW 9.94A.589 and 9.94B.050; creating new sections; and prescribing penalties."

MOTION

Senator O'Ban moved that the following floor amendment no. 1231 by Senator O'Ban be adopted:

On page 1, after line 2, insert the following:

"NEW SECTION. Sec. 1. The legislature declares its specific intent to dedicate any savings generated by this act to a special account to be used for purposes specified in section 4 of this act."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 5, after line 32, insert the following:

"NEW SECTION. Sec. 4. A new section is added to chapter 72.09 RCW to read as follows:

(1) The reentry and public safety account is created in the state treasury.

(2) Expenditures from the account may be used only for:

(a) Reducing caseloads of community corrections officers by increasing the number of community corrections officers;

(b) Implementing and expanding evidence-based strategies to increase the effectiveness of community supervision;

(c) Funding medication-assisted treatment in jails; and

(d) Establishing and expanding reentry services for individuals leaving incarceration from prisons and jails.

(3) It is the express intent of the legislature that moneys in the reentry and public safety account may not be transferred to any other account or spent for any purposes other than provided under this section.

(4) Revenues to the reentry and public safety account consist of:

(a) Funds transferred to the account pursuant to this act; and

(b) Any other revenues appropriated to or deposited into the account.

(5)(a) For the fiscal year beginning July 1, 2020, the state treasurer shall transfer fourteen million eight hundred two thousand dollars from the general fund to the reentry and public safety account. For the fiscal year beginning July 1, 2021, the state treasurer shall transfer fifteen million eight hundred fifty-three thousand dollars from the general fund to the reentry and public safety account. For the fiscal year beginning July 1, 2022, the state treasurer shall transfer twenty-four million eight hundred forty-two thousand dollars from the general fund to the reentry and public safety account. For the fiscal year beginning July 1, 2023, the state treasurer shall transfer thirty million five hundred ninety-five thousand dollars from the general fund to the reentry and public safety account. For the fiscal year beginning July 1, 2024, and each subsequent fiscal year, the state treasurer shall transfer twenty-eight million six hundred forty-five thousand dollars from the general fund to the reentry and public safety account.

(b) Moneys transferred to the reentry and public safety account in (a) of this subsection may only be used by the department for the purposes of subsection (2) of this section.

(c) Moneys in the account may be spent only after appropriation.

(6) Moneys appropriated to the reentry and public safety account may not be used to supplant existing funding or levels of service."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 6, line 6, after "6." strike "This act applies" and insert "Sections 2 and 3 of this act apply"

On page 6, line 11, after "9.94B.050;" insert "adding a new section to chapter 72.09 RCW"

Senators O'Ban and Padden spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1231 by Senator O'Ban on page 1, line 2 to the committee striking amendment.

The motion by Senator O'Ban did not carry and floor amendment no. 1231 was not 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, Reentry & Rehabilitation to Substitute House Bill No. 2394.

The motion by Senator Darneille carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Darneille, the rules were suspended, Substitute 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.

Senators Darneille 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 House Bill No. 2394 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2394 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 Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Rivers

Excused: Senator Becker

SUBSTITUTE 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.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2393, by House Committee on Public Safety (originally sponsored by Goodman, Klippert, Davis, Ormsby and Appleton)

Earning credit for complying with community custody conditions.

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

The measure was read the second time.

MOTION

Senator Darneille moved that the following committee striking amendment by the Committee on Human Services, Reentry & Rehabilitation be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9.94A.501 and 2019 c 191 s 2 are each amended to read as follows:

(1) The department shall supervise the following offenders who are sentenced to probation in superior court, pursuant to RCW 9.92.060, 9.95.204, or 9.95.210:

- (a) Offenders convicted of:
 - (i) Sexual misconduct with a minor second degree;
 - (ii) Custodial sexual misconduct second degree;
 - (iii) Communication with a minor for immoral purposes; and
 - (iv) Violation of RCW 9A.44.132(2) (failure to register); and
- (b) Offenders who have:

(i) A current conviction for a repetitive domestic violence offense where domestic violence has been pleaded and proven after August 1, 2011; and

(ii) A prior conviction for a repetitive domestic violence offense or domestic violence felony offense where domestic violence has been pleaded and proven after August 1, 2011.

(2) Misdemeanor and gross misdemeanor offenders supervised by the department pursuant to this section shall be placed on community custody.

(3) The department shall supervise every felony offender sentenced to community custody pursuant to RCW 9.94A.701 or 9.94A.702 whose risk assessment classifies the offender as one who is at a high risk to reoffend.

(4) Notwithstanding any other provision of this section, the department shall supervise an offender sentenced to community custody regardless of risk classification if the offender:

- (a) Has a current conviction for a sex offense or a serious violent offense and was sentenced to a term of community custody pursuant to RCW 9.94A.701, 9.94A.702, or 9.94A.507;
- (b) Has been identified by the department as a dangerous mentally ill offender pursuant to RCW 72.09.370;
- (c) Has an indeterminate sentence and is subject to parole pursuant to RCW 9.95.017;
- (d) Has a current conviction for violating RCW 9A.44.132(1) (failure to register) and was sentenced to a term of community custody pursuant to RCW 9.94A.701;

(e)(i) Has a current conviction for a domestic violence felony offense where domestic violence has been pleaded and proven after August 1, 2011, and a prior conviction for a repetitive domestic violence offense or domestic violence felony offense where domestic violence was pleaded and proven after August 1, 2011. This subsection (4)(e)(i) applies only to offenses committed prior to July 24, 2015;

(ii) Has a current conviction for a domestic violence felony offense where domestic violence was pleaded and proven. The state and its officers, agents, and employees shall not be held criminally or civilly liable for its supervision of an offender under this subsection (4)(e)(ii) unless the state and its officers, agents, and employees acted with gross negligence;

(f) Was sentenced under RCW 9.94A.650, 9.94A.655, 9.94A.660, 9.94A.670, or 9.94A.711;

(g) Is subject to supervision pursuant to RCW 9.94A.745; or

(h) Was convicted and sentenced under RCW 46.61.520 (vehicular homicide), RCW 46.61.522 (vehicular assault), RCW

46.61.502(6) (felony DUI), or RCW 46.61.504(6) (felony physical control).

(5) The department shall supervise any offender who is released by the indeterminate sentence review board and who was sentenced to community custody or subject to community custody under the terms of release.

(6) The department is not authorized to, and may not, supervise any offender sentenced to a term of community custody or any probationer unless the offender or probationer is one for whom supervision is required under this section or RCW 9.94A.5011.

(7) The department shall conduct a risk assessment for every felony offender sentenced to a term of community custody who may be subject to supervision under this section or RCW 9.94A.5011.

(8) The period of time the department is authorized to supervise an offender under this section may not exceed the duration of community custody specified under RCW 9.94B.050, 9.94A.701 (1) through (8), or 9.94A.702, except in cases where the court has imposed an exceptional term of community custody under RCW 9.94A.535.

(9) The period of time the department is authorized to supervise an offender under this section may be reduced by the earned award of supervision compliance credit pursuant to section 2 of this act.

NEW SECTION. Sec. 2. A new section is added to chapter 9.94A RCW to read as follows:

(1) If an offender sentenced under this chapter or chapter 9.94B RCW is supervised by the department, the offender may earn supervision compliance credit in accordance with procedures that are developed and adopted by the department.

(a) The supervision compliance credit shall be awarded to offenders who are in compliance with supervision terms and are making progress towards the goals of their individualized supervision case plan, including: Participation in specific targeted interventions, risk-related programming, or treatment; or completing steps towards specific targeted goals that enhance protective factors and stability, as determined by the department.

(b) For each month in compliance with community custody conditions in accordance with (a) of this subsection, an offender may earn supervision compliance credit of ten days.

(c) Supervision compliance credit is accrued monthly and time shall not be applied to an offender's term of supervision prior to the earning of the time.

(2) An offender is not eligible to earn supervision compliance credit if he or she:

- (a) Was sentenced under RCW 9.94A.507 or 10.95.030;
- (b) Was sentenced under RCW 9.94A.650, 9.94A.655, 9.94A.660, or 9.94A.670;
- (c) Is subject to supervision pursuant to RCW 9.94A.745;
- (d) Has an indeterminate sentence and is subject to parole pursuant to RCW 9.95.017; or
- (e) Is serving community custody pursuant to early release under RCW 9.94A.730.

NEW SECTION. Sec. 3. The department of corrections has discretion to implement sections 1 and 2 of this act over a period of time not to exceed twelve months. For any offender under active supervision by the department as of the effective date of this section, he or she is not eligible to earn supervision compliance credit pursuant to section 2 of this act until he or she has received an orientation by the department regarding supervision compliance credit."

On page 1, line 2 of the title, after "conditions;" strike the remainder of the title and insert "amending RCW 9.94A.501; adding a new section to chapter 9.94A RCW; and creating a new section."

MOTION

Senator O'Ban moved that the following floor amendment no. 1230 by Senator O'Ban be adopted:

On page 1, after line 2, insert the following:

"NEW SECTION. Sec. 1. The legislature declares its specific intent to dedicate any savings generated by this act to a special account to be used for purposes specified in section 3 of this act."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 3, after line 34, insert the following:

"NEW SECTION. Sec. 3. A new section is added to chapter 72.09 RCW to read as follows:

(1) The reentry and public safety account is created in the state treasury.

(2) Expenditures from the account may be used only for:

(a) Reducing caseloads of community corrections officers by increasing the number of community corrections officers;

(b) Implementing and expanding evidence-based strategies to increase the effectiveness of community supervision;

(c) Funding medication-assisted treatment in jails; and

(d) Establishing and expanding reentry services for individuals leaving incarceration from prisons and jails.

(3) It is the express intent of the legislature that moneys in the reentry and public safety account may not be transferred to any other account or spent for any purposes other than provided under this section.

(4) Revenues to the reentry and public safety account consist of:

(a) Funds transferred to the account pursuant to this act; and

(b) Any other revenues appropriated to or deposited into the account.

(5)(a) For the fiscal year beginning July 1, 2020, the state treasurer shall transfer fourteen million eight hundred two thousand dollars from the general fund to the reentry and public safety account. For the fiscal year beginning July 1, 2021, the state treasurer shall transfer fifteen million eight hundred fifty-three thousand dollars from the general fund to the reentry and public safety account. For the fiscal year beginning July 1, 2022, the state treasurer shall transfer twenty-four million eight hundred forty-two thousand dollars from the general fund to the reentry and public safety account. For the fiscal year beginning July 1, 2023, the state treasurer shall transfer thirty million five hundred ninety-five thousand dollars from the general fund to the reentry and public safety account. For the fiscal year beginning July 1, 2024, and each subsequent fiscal year, the state treasurer shall transfer twenty-eight million six hundred forty-five thousand dollars from the general fund to the reentry and public safety account.

(b) Moneys transferred to the reentry and public safety account in (a) of this subsection may only be used by the department for the purposes of subsection (2) of this section.

(c) Moneys in the account may be spent only after appropriation.

(6) Moneys appropriated to the reentry and public safety account may not be used to supplant existing funding or levels of service."

Renumber the remaining section consecutively and correct any internal references accordingly.

On page 4, line 7, after "RCW;" strike "and creating a new section" and insert "adding a new section to chapter 72.09 RCW; and creating new sections"

Senator O'Ban spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Rolfes spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1230 by Senator O'Ban on page 1, after line 2 to the committee striking amendment.

The motion by Senator O'Ban did not carry and floor amendment no. 1230 was not 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, Reentry & Rehabilitation to Substitute House Bill No. 2393.

The motion by Senator Darneille carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Darneille, the rules were suspended, Substitute House Bill No. 2393 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 Darneille and Walsh 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. 2393 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2393 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 Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Ericksen, Honeyford, Rivers and Wagoner

Excused: Senator Becker

SUBSTITUTE HOUSE BILL NO. 2393 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. 2567, by House Committee on Civil Rights & Judiciary (originally sponsored by Thai, Santos, Ryu, Valdez, Pollet, Davis, Wylie, Gregerson, Slatter, Lekanoff, Ortiz-Self, Frame, Mead and Kloba)

Concerning open courts.

The measure was read the second time.

MOTION

Senator Short moved that the following floor amendment no. 1239 by Senator Short be adopted:

On page 6, beginning on line 11, after "(3)" strike all material through "(4)" on line 15

Senators Short, Padden and Fortunato spoke in favor of adoption of the amendment.

Senator Pedersen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1239 by Senator Short on page 6, line 11 to Substitute House Bill No. 2567.

The motion by Senator Short did not carry and floor amendment no. 1239 was not adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute House Bill No. 2567 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.

Senators Warnick, Schoesler, Padden, Honeyford, Fortunato, Sheldon and Ericksen spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2567.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2567 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Becker

SUBSTITUTE HOUSE BILL NO. 2567, having received the 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. 1182, by House Committee on Appropriations (originally sponsored by Santos, Steele, Dolan, Ortiz-Self and Slatter)

Modifying the learning assistance program.

The measure was read the second time.

MOTION

Senator Wellman moved that the following committee striking amendment by the Committee on Early Learning & K-12 Education be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature acknowledges that the learning assistance program was developed to provide supplemental services for public school students who are not meeting academic standards. Initially, school districts were allowed to use learning assistance program funds in a flexible manner to support participating students. Over time, the legislature has continued to reduce flexibility, create additional restrictions, and establish priorities for the use of learning assistance program funds to such an extent that the program may no longer be as effective in promoting student success or serving the original intent as it could be. The legislature finds that it is time to reexamine the learning assistance program requirements in a holistic manner with a goal of restoring flexibility to districts to use the funds in a way that promotes a coordinated system of academic and nonacademic supports that reduce barriers to academic achievement and best serve student success while also balancing local control with local accountability for improvement in student learning.

NEW SECTION. Sec. 2. (1) The office of the superintendent of public instruction shall review the requirements of the learning assistance program and shall make recommendations to the legislature by October 1, 2020, on how to modify the program requirements including, but not limited to, recommendations on:

- (a) Appropriate monitoring and reporting requirements;
- (b) The types of services and activities that can be supported by the learning assistance program funds, including whether support for all or portions of the Washington integrated student supports protocol established under RCW 28A.300.139 should be included; and
- (c) Whether use of a practice or strategy identified on the state menu as required by RCW 28A.165.035 should continue to be a criteria of the program.

(2) This section expires January 1, 2021.

Sec. 3. RCW 28A.165.035 and 2018 c 75 s 7 are each amended to read as follows:

(1) 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) Intensive reading and literacy improvement strategies under RCW 28A.655.235;

(d) 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;

~~((#))~~ (e) Consultant teachers to assist in implementing effective instructional practices by teachers serving participating students;

~~((#))~~ (f) Tutoring support for participating students;

~~((#))~~ (g) School-wide behavioral health system of supports and interventions for students including social workers, counselors, instructional aides, and other school-based health professionals;

(h) Screening and intervention requirements under RCW 28A.320.260, even if the student being screened or provided with supports is not eligible to participate in the learning assistance program, and any staff trainings necessary to implement RCW 28A.320.260;

(i) Outreach activities and support for parents of participating students, including employing parent and family engagement coordinators; and

~~((g))~~ (j) Up to ((five)) fifteen 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 school board must approve in an open meeting any community-based organization or local agency before learning assistance program funds may be expended.

(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 1st ~~(2015, and update the state menus by each July 1st thereafter))~~ of each year.

(3)(a) ~~((Beginning in the 2016-17 school year, except))~~ 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 (2) of this section or RCW 28A.655.235.

(b) ~~((Beginning in the 2016-17 school year, school))~~ School districts may use a practice or strategy that is not on a state menu developed under subsection (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))~~ 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.

~~((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.~~

~~(5) School districts may use learning assistance program allocations to meet the screening and intervention requirements of RCW 28A.320.260, even if the student being screened or provided with supports is not eligible to participate in the learning assistance program. The learning assistance program allocations may also be used for school district staff trainings necessary to implement the provisions of RCW 28A.320.260.)~~

Sec. 4. RCW 28A.165.005 and 2017 3rd sp.s. c 13 s 403 are each amended to read as follows:

(1) This chapter is designed to: (a) Promote the use of data when developing programs to assist students who are not meeting

academic standards 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 students who are not meeting academic standards and reduce disruptive behaviors in the classroom.

(2) School districts implementing a learning assistance program shall ~~((focus first on addressing))~~ expend a portion of learning assistance program funding to address the needs of students in grades kindergarten through four who are deficient in reading or reading readiness skills to improve reading literacy."

On page 1, line 5 of the title, after "protocol;" strike the remainder of the title and insert "amending RCW 28A.165.035 and 28A.165.005; creating new sections; 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 Early Learning & K-12 Education to Second Substitute House Bill No. 1182.

The motion by Senator Wellman carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Second Substitute House Bill No. 1182 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 Wellman spoke in favor of passage of the bill.

Senators Hawkins, Rivers and Braun 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. 1182 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1182 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Becker

SECOND SUBSTITUTE HOUSE BILL NO. 1182, having received the 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, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

March 3, 2020

The Senate was called to order at 1:32 p.m. by President Habib.

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 2965,
and the same is herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

On motion of Senator Liias, the Senate advanced to the fifth order of business.

SUPPLEMENTAL INTRODUCTION AND FIRST READING

EHB 2965 by Representatives Cody, Schmick, Riccelli, Bergquist, Callan, Dufault, Hudgins, Leavitt, Shewmake, Tharinger, Maycumber, Ramos, Ortiz-Self and Stonier

AN ACT Relating to the state's response to the novel coronavirus; amending RCW 38.52.105; adding a new section to chapter 74.46 RCW; making appropriations; and declaring an emergency.

MOTION

On motion of Senator Liias, under suspension of the rules Engrossed House Bill No. 2965 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 SENATE BILL NO. 5165,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5522,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5591,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6028,
- SUBSTITUTE SENATE BILL NO. 6029,
- SUBSTITUTE SENATE BILL NO. 6037,
- SENATE BILL NO. 6038,
- SUBSTITUTE SENATE BILL NO. 6048,
- SUBSTITUTE SENATE BILL NO. 6051,
- SUBSTITUTE SENATE BILL NO. 6052,
- SUBSTITUTE SENATE BILL NO. 6061,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6063,
- SENATE BILL NO. 6131,
- SENATE BILL NO. 6136,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6261,
- SENATE BILL NO. 6326,
- SENATE BILL NO. 6374,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6378,
- SUBSTITUTE SENATE BILL NO. 6409,
- SUBSTITUTE SENATE BILL NO. 6500,
- SUBSTITUTE SENATE BILL NO. 6526,
- SENATE BILL NO. 6551,
- SUBSTITUTE SENATE BILL NO. 6670,

MOTION

At 11:52 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Darneille moved that Maia C. McCoy, Senate Gubernatorial Appointment No. 9165, be confirmed as a member of the Sentencing Guidelines Commission.

Senator Darneille spoke in favor of the motion.

APPOINTMENT OF MAIA C. MCCOY

The President declared the question before the Senate to be the confirmation of Maia C. McCoy, Senate Gubernatorial Appointment No. 9165, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Maia C. McCoy, Senate Gubernatorial Appointment No. 9165, as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senator Ericksen

Excused: Senators Becker and Sheldon

Maia C. McCoy, Senate Gubernatorial Appointment No. 9165, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

MOTIONS

On motion of Senator Rivers, Senator Sheldon was excused.

On motion of Senator Liias, the Senate reverted to the sixth order of business.

On motion of Senator Rivers, Senators Ericksen and Wilson, L. were excused.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1191, by House Committee on Education (originally sponsored by Goodman and Frame)

Concerning school notifications.

The measure was read the second time.

MOTION

Senator Wellman moved that the following committee striking amendment by the Committee on Early Learning & K-12 Education be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28A.320 RCW to read as follows:

(1) A school district superintendent, a designee of the superintendent, or a principal of a school who receives information pursuant to RCW 28A.225.330, 9A.44.138, 13.04.155, 13.40.215, or 72.09.730 shall comply with the notification provisions described in this section.

(2) Upon receipt of information described in subsection (1) of this section, a school district superintendent or a designee of the superintendent must provide the received information to the principal of the school where the student is enrolled or will enroll, or if not known, where the student was most recently enrolled.

(3)(a) Upon receipt of information about a sex offense as defined in RCW 9.94A.030, the principal must comply with the notification requirements in RCW 9A.44.138.

(b) Upon receipt of information about a violent offense as defined in RCW 9.94A.030, any crime under chapter 9A.41 RCW, unlawful possession or delivery, or both, of a controlled substance in violation of chapter 69.50 RCW, or a school disciplinary action, the principal, subject to requirements of subsection (4) of this section, has discretion to share the information with a school district staff member if, in the principal's judgment, the information is necessary for:

- (i) The staff member to supervise the student;
- (ii) The staff member to provide or refer the student to therapeutic or behavioral health services; or
- (iii) Security purposes.

(4)(a) Upon receipt of information about an adjudication in juvenile court for an unlawful possession of a controlled substance in violation of chapter 69.50 RCW, the principal must notify the student and the parent or legal guardian at least five days before sharing the information with a school district staff member.

(b) If either the student or the student's parent or legal guardian objects to the proposed sharing of the information, the student, the student's parent or legal guardian, or both, may, within five business days of receiving notice from the principal, appeal the decision to share the information with staff to the superintendent of the school district in accordance with procedures adopted by the district.

(c) The superintendent shall have five business days after receiving an appeal under (b) of this subsection to make a written determination on the matter. Determinations by superintendents under this subsection are final and not subject to further appeal.

(d) A principal may not share adjudication information under this subsection with a school district staff member while an appeal is pending.

(5) Any information received by school district staff under this section is exempt from disclosure under chapter 42.56 RCW and may not be further disseminated except as provided in RCW 28A.225.330, other statutes or case law, and the family and educational and privacy rights act of 1994 (20 U.S.C. Sec. 1232g et seq.).

NEW SECTION. Sec. 2. A new section is added to chapter 28A.195 RCW to read as follows:

The administrator of a private school approved under this chapter must comply with the notification provisions of section 1 of this act that apply to superintendents, designees of superintendents, and principals.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.710 RCW to read as follows:

The administrator of a charter public school governed by this chapter must comply with the notification provisions of section 1 of this act that apply to superintendents, designees of superintendents, and principals.

Sec. 4. RCW 28A.320.128 and 2002 c 206 s 1 are each amended to read as follows:

(1) By September 1, ~~((2003))~~ 2020, each school district board of directors shall adopt a policy that addresses the following issues:

(a) Procedures for providing notice of threats of violence or harm to the student or school employee who is the subject of the threat. The policy shall define "threats of violence or harm"; and

(b) Procedures for ~~((disclosing information that is provided to the school administrators about a student's conduct, including but not limited to the student's prior disciplinary records, official juvenile court records, and history of violence, to classroom teachers, school staff, and school security who, in the judgment of the principal, should be notified; and~~

~~(c) Procedures for determining whether or not any threats or conduct established in the policy may be grounds for suspension or expulsion of the student))~~ complying with the notification provisions in section 1 of this act.

(2) The ~~((superintendent of public instruction))~~ Washington state school directors' association, in consultation with educators and representatives of law enforcement, classified staff, ~~((and))~~ organizations with expertise in violence prevention and intervention, and organizations that provide free legal services for youth, shall adopt, and revise as necessary, a model policy that includes the issues listed in subsection (1) of this section ~~((by January 1, 2003))~~. The model policy shall be ~~((posted on the superintendent of public instruction's))~~ disseminated by the Washington state school directors' association and made available to the public on its web site. ~~((The))~~ Each school district~~((s, in drafting their own policies,))~~ shall ~~((review))~~ adopt the model policy required by this subsection unless it has a compelling reason to develop and adopt a different policy that also addresses the issues identified in subsection (1) of this section.

(3) School districts, school district boards of directors, school officials, and school employees providing notice in good faith as required and consistent with the board's policies adopted under this section are immune from any liability arising out of such notification.

(4) A person who intentionally and in bad faith or maliciously, knowingly makes a false notification of a threat under this section is guilty of a misdemeanor punishable under RCW 9A.20.021.

Sec. 5. RCW 9A.44.138 and 2011 c 337 s 4 are each amended to read as follows:

(1) Upon receiving notice from a registered person pursuant to RCW 9A.44.130 that the person will be attending a school enrolling students in grades kindergarten through twelve or an institution of higher education, or will be employed with an institution of higher education, the sheriff must promptly notify the designated recipient of the school ~~((district and the school principal))~~ or institution ~~((s department))~~ of ~~((public safety and shall provide that school or department with))~~ the person's: (a) Name and any aliases used; (b) complete residential address; (c) date and place of birth; (d) place of employment; (e) crime for which convicted; (f) date and place of conviction; (g) ~~((social security number; (h)))~~ photograph; and ~~((((h)))~~ (h) risk level classification.

(2) ~~((A principal or department))~~ Except as provided in subsection (3) of this section, a designated recipient receiving notice under this ~~((subsection))~~ section must disclose the information received from the sheriff as follows:

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

(a) If the student is classified as a risk level II or III, the ~~((principal))~~ designated recipient shall provide the information received to every teacher of the student and to any other personnel who, in the judgment of the ~~((principal))~~ designated recipient, supervises the student or for security purposes should be aware of the student's record;

(b) If the student is classified as a risk level I, the ~~((principal or department))~~ designated recipient shall provide the information received only to personnel who, in the judgment of the ~~((principal or department))~~ designated recipient, for security purposes should be aware of the student's record.

(3) When the designated recipient is the administrator of a school district, the designated recipient must disclose the information to the principal of the school that the registered person will be attending, whether the school is a common school as defined in RCW 28A.150.020 or a school that is the subject of a state-tribal education compact under chapter 28A.715 RCW. The principal must then disclose the information as provided in subsection (2) of this section.

(4) The sheriff shall notify the applicable ~~((school district and school principal or institution's department of public safety))~~ designated recipient whenever a student's risk level classification is changed or the sheriff is notified of a change in the student's address.

~~((4))~~ (5) Any information received by school or institution personnel under this ~~((subsection))~~ section is ((confidential)) exempt from disclosure under chapter 42.56 RCW and may not be further disseminated except as provided in RCW 28A.225.330, other statutes or case law, and the family and educational and privacy rights act of 1994, 20 U.S.C. Sec. 1232g et seq.

(6) For the purposes of this section, "designated recipient" means: (a) The superintendent of the school district, or his or her designee, of a common school as defined in RCW 28A.150.020 or a school that is the subject of a state-tribal education compact under chapter 28A.715 RCW; (b) the administrator of a charter public school governed by chapter 28A.710 RCW; (c) the administrator of a private school approved under chapter 28A.195 RCW; or (d) the director of the department of public safety at an institution of higher education.

Sec. 6. RCW 13.04.155 and 2000 c 27 s 1 are each amended to read as follows:

(1) ~~((Whenever a minor enrolled in any common school is))~~ The provisions of this section apply only to persons who:

(a) Were adjudicated in juvenile court or convicted in adult criminal court ((, or adjudicated or entered into a diversion agreement with the juvenile court on any)) of ((the following offenses, the court must notify the principal of the student's school of the disposition of the case, after first notifying the parent or legal guardian that such notification will be made)):

- ~~((a))~~ (i) A violent offense as defined in RCW 9.94A.030;
- ~~((b))~~ (ii) A sex offense as defined in RCW 9.94A.030;
- ~~((c))~~ Inhaling toxic fumes under chapter 9.47A RCW;
- ~~((d))~~ A controlled substances violation under chapter 69.50 RCW;
- ~~((e))~~ A liquor violation under RCW 66.44.270; and
- ~~((f))~~ Any crime under chapters 9.41, 9A.36, 9A.40, 9A.46, and 9A.48 RCW.

(2) ~~The principal must provide the information received under subsection (1) of this section to every teacher of any student who qualifies under subsection (1) of this section and any other personnel who, in the judgment of the principal, supervises the student or for security purposes should be aware of the student's record. The principal must provide the information to teachers and other personnel based on any written records that the principal maintains or receives from a juvenile court~~

~~administrator or a law enforcement agency regarding the student.))~~

~~((iii))~~ Any crime under chapter 9.41 RCW; or
~~((iv))~~ Unlawful possession or delivery, or both, of a controlled substance in violation of chapter 69.50 RCW;

~~((b))~~ Are twenty-one years of age or younger; and
~~((c))~~ Have not received a high school diploma or its equivalent.

(2)(a) The court must provide written notification of the juvenile court adjudication or adult criminal court conviction of a person described in subsection (1) of this section to the designated recipient of the school where the person:

- ~~((i))~~ Was enrolled prior to adjudication or conviction; or
- ~~((ii))~~ Has expressed an intention to enroll following adjudication or conviction.

~~((b))~~ No notification is required if the person described in subsection (1) of this section is between eighteen and twenty-one years of age and:

- ~~((i))~~ The person's prior or intended enrollment information cannot be obtained; or
- ~~((ii))~~ The person asserts no intention of enrolling in an educational program.

(3) Any information received by a ~~((principal or school personnel))~~ designated recipient under this section is ~~((confidential))~~ exempt from disclosure under chapter 42.56 RCW and may not be further disseminated except as provided in RCW 28A.225.330, other statutes or case law, and the family and educational and privacy rights act of 1994, 20 U.S.C. Sec. 1232g et seq.

(4) For the purposes of this section, "designated recipient" means: (a) The superintendent of the school district, or his or her designee, of a common school as defined in RCW 28A.150.020 or a school that is the subject of a state-tribal education compact under chapter 28A.715 RCW; (b) the administrator of a charter public school governed by chapter 28A.710 RCW; or (c) the administrator of a private school approved under chapter 28A.195 RCW.

Sec. 7. RCW 13.40.215 and 1999 c 198 s 1 are each amended to read as follows:

(1)(a) Except as provided in subsection (2) of this section, at the earliest ~~((possible))~~ practicable date, and in no event later than thirty days before discharge, parole, or any other authorized leave or release, or before transfer to a community residential facility, the secretary shall send written notice of the discharge, parole, authorized leave or release, or transfer of a juvenile found to have committed a violent offense, a sex offense, or stalking, to the following:

- ~~((i))~~ The chief of police of the city, if any, in which the juvenile will reside; and
- ~~((ii))~~ The sheriff of the county in which the juvenile will reside((; and
- ~~((iii))~~ The approved private schools and the common school district board of directors of the district in which the juvenile intends to reside or the approved private school or public school district in which the juvenile last attended school, whichever is appropriate, except when it has been determined by the department that the juvenile is twenty-one years old or will be in the community for less than seven consecutive days on approved leave and will not be attending school during that time)).

(b) ~~((After July 25, 1999, the department shall send a written notice to approved private and public schools under the same conditions identified in subsection (1)(a)(iii) of this section when a juvenile adjudicated of any offense is transferred to a community residential facility, discharged, paroled, released, or granted a leave.))~~ (i) Except as provided in subsection (2) of this section, at the earliest practicable date, and in no event later than

thirty days before discharge, parole, or any other authorized leave or release, or before transfer to a community residential facility, the secretary shall send written notice of the discharge, parole, authorized leave or release, or transfer of an individual who is found to have committed a violent offense or a sex offense, is twenty-one years of age or younger, and has not received a high school diploma or its equivalent, to the designated recipient of the school where the juvenile either: (A) Was enrolled prior to incarceration or detention; or (B) has expressed an intention to enroll following his or her release. This notice must also include the restrictions described in subsection (5) of this section.

(ii) The community residential facility shall provide written notice of the offender's criminal history to the designated recipient of any school that the offender attends while residing at the community residential facility and to any employer that employs the offender while residing at the community residential facility.

(iii) As used in this subsection, "designated recipient" means: (A) The superintendent of the school district, or his or her designee, of a common school as defined in RCW 28A.150.020 or a school that is the subject of a state-tribal education compact under chapter 28A.715 RCW; (B) the administrator of a charter public school governed by chapter 28A.710 RCW; or (C) the administrator of a private school approved under chapter 28A.195 RCW.

(c) The same notice as required by (a) of this subsection shall be sent to the following, if such notice has been requested in writing about a specific juvenile:

(i) The victim of the offense for which the juvenile was found to have committed or the victim's next of kin if the crime was a homicide;

(ii) Any witnesses who testified against the juvenile in any court proceedings involving the offense; and

(iii) Any person specified in writing by the prosecuting attorney.

Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting attorney to receive the notice, and the notice are confidential and shall not be available to the juvenile. The notice to the chief of police or the sheriff shall include the identity of the juvenile, the residence where the juvenile will reside, the identity of the person, if any, responsible for supervising the juvenile, and the time period of any authorized leave.

(d) The thirty-day notice requirements contained in this subsection shall not apply to emergency medical furloughs.

(e) The existence of the notice requirements in this subsection will not require any extension of the release date in the event the release plan changes after notification.

(2)(a) If a juvenile found to have committed a violent offense, a sex offense, or stalking escapes from a facility of the department, the secretary shall immediately notify, by the most reasonable and expedient means available, the chief of police of the city and the sheriff of the county in which the juvenile resided immediately before the juvenile's arrest. If previously requested, the secretary shall also notify the witnesses and the victim of the offense which the juvenile was found to have committed or the victim's next of kin if the crime was a homicide. If the juvenile is recaptured, the secretary shall send notice to the persons designated in this subsection as soon as possible but in no event later than two working days after the department learns of such recapture.

(b) The secretary may authorize a leave, for a juvenile found to have committed a violent offense, a sex offense, or stalking, which shall not exceed forty-eight hours plus travel time, to meet an emergency situation such as a death or critical illness of a

member of the juvenile's family. The secretary may authorize a leave, which shall not exceed the time medically necessary, to obtain medical care not available in a juvenile facility maintained by the department. Prior to the commencement of an emergency or medical leave, the secretary shall give notice of the leave to the appropriate law enforcement agency in the jurisdiction in which the juvenile will be during the leave period. The notice shall include the identity of the juvenile, the time period of the leave, the residence of the juvenile during the leave, and the identity of the person responsible for supervising the juvenile during the leave. If previously requested, the department shall also notify the witnesses and victim of the offense which the juvenile was found to have committed or the victim's next of kin if the offense was a homicide.

In case of an emergency or medical leave the secretary may waive all or any portion of the requirements for leaves pursuant to RCW 13.40.205 (2)(a), (3), (4), and (5).

(3) If the victim, the victim's next of kin, or any witness is under the age of sixteen, the notice required by this section shall be sent to the parents or legal guardian of the child.

(4) The secretary shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.

(5) Upon discharge, parole, transfer to a community residential facility, or other authorized leave or release, a convicted juvenile sex offender shall not attend a public or approved private elementary, middle, or high school that is attended by a victim or a sibling of a victim of the sex offender. The parents or legal guardians of the convicted juvenile sex offender shall be responsible for transportation or other costs associated with or required by the sex offender's change in school that otherwise would be paid by a school district. ~~((Upon discharge, parole, transfer to a community residential facility, or other authorized leave or release of a convicted juvenile sex offender, the secretary shall send written notice of the discharge, parole, or other authorized leave or release and the requirements of this subsection to the common school district board of directors of the district in which the sex offender intends to reside or the district in which the sex offender last attended school, whichever is appropriate. The secretary shall send a similar notice to any approved private school the juvenile will attend, if known, or if unknown, to the approved private schools within the district the juvenile resides or intends to reside.))~~

(6) For purposes of this section the following terms have the following meanings:

(a) "Violent offense" means a violent offense under RCW 9.94A.030;

(b) "Sex offense" means a sex offense under RCW 9.94A.030;

(c) "Stalking" means the crime of stalking as defined in RCW 9A.46.110;

(d) "Next of kin" means a person's spouse, parents, siblings, and children.

Sec. 8. RCW 28A.225.330 and 2013 c 182 s 10 are each amended to read as follows:

(1) When enrolling a student who has attended school in another school district, the school enrolling the student may request the parent and the student to briefly indicate in writing whether or not the student has:

(a) Any history of placement in special educational programs;

(b) Any past, current, or pending disciplinary action;

(c) Any history of violent behavior, or behavior listed in RCW 13.04.155;

(d) Any unpaid fines or fees imposed by other schools; and

(e) Any health conditions affecting the student's educational needs.

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

(2) The school enrolling the student shall request ~~((the school the student previously attended to send))~~ the student's permanent record including records of disciplinary action, history of violent behavior or behavior listed in RCW 13.04.155, attendance, immunization records, and academic performance from the school the student previously attended. If the student has not paid a fine or fee under RCW 28A.635.060, or tuition, fees, or fines at approved private schools the school may withhold the student's official transcript, but shall transmit information about the student's academic performance, special placement, immunization records, records of disciplinary action, and history of violent behavior or behavior listed in RCW 13.04.155. If the official transcript is not sent due to unpaid tuition, fees, or fines, the enrolling school shall notify both the student and parent or guardian that the official transcript will not be sent until the obligation is met, and failure to have an official transcript may result in exclusion from extracurricular activities or failure to graduate.

(3) Upon request, school districts shall furnish a set of unofficial educational records to a parent or guardian of a student who is transferring out of state and who meets the definition of a child of a military family in transition under Article II of RCW 28A.705.010. School districts may charge the parent or guardian the actual cost of providing the copies of the records.

(4) If information is requested under subsection (2) of this section, the information shall be transmitted within two school days after receiving the request and the records shall be sent as soon as possible. The records of a student who meets the definition of a child of a military family in transition under Article II of RCW 28A.705.010 shall be sent within ten days after receiving the request. Any school district or district employee who releases the information in compliance with this section is immune from civil liability for damages unless it is shown that the school district employee acted with gross negligence or in bad faith. The professional educator standards board shall provide by rule for the discipline under chapter 28A.410 RCW of a school principal or other chief administrator of a public school building who fails to make a good faith effort to assure compliance with this subsection.

(5) Any school district or district employee who releases the information in compliance with federal and state law is immune from civil liability for damages unless it is shown that the school district or district employee acted with gross negligence or in bad faith.

~~(6) ((When a school receives information under this section or RCW 13.40.215 that a student has a history of disciplinary actions, criminal or violent behavior, or other behavior that indicates the student could be a threat to the safety of educational staff or other students, the school shall provide this information to the student's teachers and security personnel.~~

~~(7))~~ A school may not prevent a student who is dependent pursuant to chapter 13.34 RCW from enrolling if there is incomplete information as enumerated in subsection (1) of this section during the ten business days that the department of social and health services has to obtain that information under RCW 74.13.631. In addition, upon enrollment of a student who is dependent pursuant to chapter 13.34 RCW, the school district must make reasonable efforts to obtain and assess that child's educational history in order to meet the child's unique needs within two business days.

Sec. 9. RCW 72.09.730 and 2011 c 107 s 1 are each amended to read as follows:

(1) ~~((At the earliest possible date and in no event later than thirty days before))~~ The provisions of this section apply only to an offender ((is)) released from confinement((; the department

~~shall provide notice to the school district board of directors of the district in which the offender last attended school if the offender))~~ who:

(a) Was convicted of a violent offense or sex offense as those terms are defined in RCW 9.94A.030;

(b) Is twenty-one years of age or younger at the time of release((;

~~(b) Has been convicted of a violent offense, a sex offense, or stalking));~~ and

(c) ((Last attended)) Has not received a high school ((in this state)) diploma or its equivalent.

(2) At the earliest practicable date, and in no event later than thirty days before release from confinement, the department must provide written notification of the release of an offender described in subsection (1) of this section to the designated recipient of the school where the offender:

(a) Was enrolled prior to incarceration or detention; or

(b) Has expressed an intention to enroll following his or her release.

(3) If after providing notification as required under subsection (2) of this section, the release of an offender described in subsection (1) of this section is delayed, the department must inform the designated recipient of the modified release date.

(4) This section applies whenever an offender is being released from total confinement, regardless if the release is to parole, community custody, work release placement, or furlough.

(5) For the purposes of this section, "designated recipient" means: (a) The superintendent of the school district, or his or her designee, of a common school as defined in RCW 28A.150.020 or a school that is the subject of a state-tribal education compact under chapter 28A.715 RCW; (b) the administrator of a charter public school governed by chapter 28A.710 RCW; or (c) the administrator of a private school approved under chapter 28A.195 RCW.

NEW SECTION. Sec. 10. A new section is added to chapter 42.56 RCW to read as follows:

Information received by a school district superintendent, a designee of the superintendent, or a principal pursuant to RCW 28A.225.330, 9A.44.138, 13.04.155, 13.40.215, or 72.09.730 is exempt from disclosure under this chapter."

On page 1, line 1 of the title, after "notifications;" strike the remainder of the title and insert "amending RCW 28A.320.128, 9A.44.138, 13.04.155, 13.40.215, 28A.225.330, and 72.09.730; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.195 RCW; adding a new section to chapter 28A.710 RCW; and adding a new section to chapter 42.56 RCW."

MOTION

Senator Padden moved that the following floor amendment no. 1233 by Senator Padden be adopted:

On page 6, line 3, after "under" insert "RCW 9A.36.060, 9A.40.040, 9A.36.090, 9A.48.040, or"

Senators Padden, Holy and Short spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Wellman spoke against adoption of the amendment to the committee striking amendment.

Senator Short 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 the amendment by Senator Padden on page 6, line 3 to the committee striking amendment.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Padden and the amendment was not adopted by the following vote: Yeas, 17; Nays, 28; Absent, 0; Excused, 4.

Voting yea: Senators Braun, Brown, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senators Becker, Ericksen, Sheldon and Wilson, L.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Early Learning & K-12 Education to Second Substitute House Bill No. 1191.

The motion by Senator Wellman carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Second Substitute House Bill No. 1191 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 Wellman spoke in favor of passage of the bill.

Senators Hawkins, Padden and Honeyford 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. 1191 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1191 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 28; Nays, 18; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Brown, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Becker, Ericksen and Sheldon

SECOND SUBSTITUTE HOUSE BILL NO. 1191 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. 1608, by House Committee on Health Care & Wellness (originally sponsored by Macri, Dolan, Slatter, Stonier, Robinson, Kilduff, Riccelli, Senn, Goodman, Tharinger, Jinkins, Davis, Cody,

Appleton, Kloba, Ortiz-Self, Valdez, Frame, Pollet, Stanford, Tarleton and Leavitt)

Protecting patient care.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute House Bill No. 1608 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland 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 Engrossed Substitute House Bill No. 1608.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1608 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 7; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Brown, Fortunato, Honeyford, King, Padden, Short and Wilson, L.

Excused: Senators Becker, Ericksen and Sheldon

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1608, having received the 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. 2448, by House Committee on Health Care & Wellness (originally sponsored by Schmick, Chambers and Cody)

Concerning enhanced services facilities.

The measure was read the second time.

MOTION

On motion of Senator Wagoner, 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.

Senators Wagoner 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 House Bill No. 2448.

ROLL CALL

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

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, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker, Ericksen and Sheldon

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.

SECOND READING

HOUSE BILL NO. 2640, by Representatives Fey, Kirby, Doglio, Fitzgibbon, Orwall, Gregerson, Valdez, Peterson and Ryu

Clarifying that facilities that are operated by a private entity in which persons are detained in custody under process of law pending the outcome of legal proceedings are not essential public facilities under the growth management act.

The measure was read the second time.

MOTION

Senator Takko moved that the following committee striking amendment by the Committee on Local Government be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 36.70A.200 and 2013 c 275 s 5 are each amended to read as follows:

(1)(a) The comprehensive plan of each county and city that is planning under RCW 36.70A.040 shall include a process for identifying and siting essential public facilities. Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, state and local correctional facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020.

(b) Unless a facility is expressly listed in (a) of this subsection, essential public facilities do not include facilities that are operated by a private entity in which persons are detained in custody under process of law pending the outcome of legal proceedings but are not used for punishment, correction, counseling, or rehabilitation following the conviction of a criminal offense. Facilities included under this subsection (1)(b) shall not include facilities detaining persons under RCW 71.09.020 (6) or (15) or chapter 10.77 or 71.05 RCW.

(2) Each county and city planning under RCW 36.70A.040 shall, not later than September 1, 2002, establish a process, or amend its existing process, for identifying and siting essential public facilities and adopt or amend its development regulations as necessary to provide for the siting of secure community

transition facilities consistent with statutory requirements applicable to these facilities.

(3) Any city or county not planning under RCW 36.70A.040 shall, not later than September 1, 2002, establish a process for siting secure community transition facilities and adopt or amend its development regulations as necessary to provide for the siting of such facilities consistent with statutory requirements applicable to these facilities.

(4) The office of financial management shall maintain a list of those essential state public facilities that are required or likely to be built within the next six years. The office of financial management may at any time add facilities to the list.

(5) No local comprehensive plan or development regulation may preclude the siting of essential public facilities.

(6) No person may bring a cause of action for civil damages based on the good faith actions of any county or city to provide for the siting of secure community transition facilities in accordance with this section and with the requirements of chapter 12, Laws of 2001 2nd sp. sess. For purposes of this subsection, "person" includes, but is not limited to, any individual, agency as defined in RCW 42.17A.005, corporation, partnership, association, and limited liability entity.

(7) Counties or cities siting facilities pursuant to subsection (2) or (3) of this section shall comply with RCW 71.09.341.

(8) The failure of a county or city to act by the deadlines established in subsections (2) and (3) of this section is not:

(a) A condition that would disqualify the county or city for grants, loans, or pledges under RCW 43.155.070 or 70.146.070;

(b) A consideration for grants or loans provided under RCW 43.17.250(3); or

(c) A basis for any petition under RCW 36.70A.280 or for any private cause of action.

NEW SECTION. Sec. 2. This act applies retroactively to land use actions imposed prior to January 1, 2018, as well as prospectively.

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."

On page 1, line 4 of the title, after "act;" strike the remainder of the title and insert "amending RCW 36.70A.200; creating a new section; and declaring an emergency."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Local Government to House Bill No. 2640.

The motion by Senator Takko carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Takko, the rules were suspended, House Bill No. 2640 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 Takko and Darneille spoke in favor of passage of the bill.

Senators Short and Honeyford spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2640 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2640 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 31; Nays, 15; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Holy, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Braun, Brown, Fortunato, Hawkins, Honeyford, King, Muzzall, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick and Wilson, L.

Excused: Senators Becker, Ericksen and Sheldon

HOUSE BILL NO. 2640 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. 2614, by House Committee on Labor & Workplace Standards (originally sponsored by Robinson, Doglio, Sells, Lekanoff, Tharinger and Ormsby)

Concerning paid family and medical leave.

The measure was read the second time.

MOTION

On motion of Senator Liias, the senate deferred further consideration of Substitute House Bill No. 2614 and the bill held its place on the second reading calendar.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2613, by House Committee on Labor & Workplace Standards (originally sponsored by Sells and Mosbrucker)

Granting relief of unemployment benefit charges when discharge is required by law and removing outdated statutory language.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute House Bill No. 2613 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser 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 House Bill No. 2613.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2613 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban,

Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger
Excused: Senators Becker, Ericksen and Sheldon

SUBSTITUTE HOUSE BILL NO. 2613, having received the 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. 2231, by House Committee on Public Safety (originally sponsored by Pellicciotti, Hudgins, Appleton, Davis, Gregerson, Santos, Frame, Pollet, Fitzgibbon, Thai, Bergquist, Ormsby, Wylie, Pettigrew, Peterson and Riccelli)

Concerning bail jumping.

The measure was read the second time.

MOTION

Senator Pedersen 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:

"**Sec. 1.** RCW 9A.76.170 and 2001 c 264 s 3 are each amended to read as follows:

(1) (~~Any person having been~~) A person is guilty of bail jumping if he or she:

(a) Is released by court order or admitted to bail (~~with knowledge~~), has received written notice of the requirement of a subsequent personal appearance for trial before any court of this state, and fails to appear for trial as required; or

(b)(i) Is held for, charged with, or convicted of a violent offense or sex offense, as those terms are defined in RCW 9.94A.030, is released by court order or admitted to bail, has received written notice of the requirement of a subsequent personal appearance before any court of this state or of the requirement to report to a correctional facility for service of sentence, and (~~who~~) fails to appear or (~~who~~) fails to surrender for service of sentence as required (~~(is guilty of bail jumping)~~); and

(ii)(A) Within thirty days of the issuance of a warrant for failure to appear or surrender, does not make a motion with the court to quash the warrant, and if a motion is made under this subsection, he or she does not appear before the court with respect to the motion; or

(B) Has had a prior warrant issued based on a prior incident of failure to appear or surrender for the present cause for which he or she is being held or charged or has been convicted.

(2) It is an affirmative defense to a prosecution under this section that uncontrollable circumstances prevented the person from appearing or surrendering, and that the person did not contribute to the creation of such circumstances (~~(in reckless disregard of)~~) by negligently disregarding the requirement to appear or surrender, and that the person appeared or surrendered as soon as such circumstances ceased to exist.

(3) Bail jumping is:

(a) A class A felony if the person was held for, charged with, or convicted of murder in the first degree;

(b) A class B felony if the person was held for, charged with, or convicted of a class A felony other than murder in the first degree;

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

(c) A class C felony if the person was held for, charged with, or convicted of a class B or class C felony; or

(d) A misdemeanor if the person was held for, charged with, or convicted of a gross misdemeanor or misdemeanor.

NEW SECTION. Sec. 2. A new section is added to chapter 9A.76 RCW to read as follows:

(1) A person is guilty of failure to appear or surrender if he or she:

(a) Is released by court order or admitted to bail;

(b) Has received written notice of the requirement of a subsequent personal appearance before any court of this state, or of the requirement to report to a correctional facility for service of sentence; and

(c) Fails to appear or fails to surrender for service of sentence as required.

(2) It is an affirmative defense to a prosecution under this section that uncontrollable circumstances prevented the person from appearing or surrendering, that the person did not contribute to the creation of such circumstances by negligently disregarding the requirement to appear or surrender, and that the person appeared or surrendered as soon as such circumstances ceased to exist.

(3) Failure to appear or surrender is:

(a) A gross misdemeanor if the person was held for, charged with, or convicted of a felony; or

(b) A misdemeanor if the person was held for, charged with, or convicted of a gross misdemeanor or misdemeanor."

On page 1, line 1 of the title, after "jumping;" strike the remainder of the title and insert "amending RCW 9A.76.170; adding a new section to chapter 9A.76 RCW; and prescribing penalties."

MOTION

Senator Padden moved that the following floor amendment no. 1242 by Senator Padden be adopted:

On page 2, beginning on line 14, strike all of subsection (1) and insert the following:

"(1)(a) A person is guilty of failure to appear or surrender if he or she is released by court order or admitted to bail, has received written notice of the requirement of a subsequent personal appearance before any court of this state or of the requirement to report to a correctional facility for service of sentence, and fails to appear or fails to surrender for service of sentence as required; and

(b)(i) Within thirty days of the issuance of a warrant for failure to appear or surrender, does not make a motion with the court to quash the warrant, and if a motion is made under this subsection, he or she does not appear before the court with respect to the motion; or

(ii) Has had a prior warrant issued based on a prior incident of failure to appear or surrender for the present cause for which he or she is being held or charged or has been convicted."

Senators Padden 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 floor amendment no. 1242 by Senator Padden on page 2, line 14 to the committee striking amendment.

The motion by Senator Padden carried and floor amendment no. 1242 was adopted by voice vote.

MOTION

Senator Padden moved that the following floor amendment no. 1243 by Senator Padden be adopted:

On page 2, line 30, after "A" strike "gross misdemeanor" and insert "class C felony"

Senator Padden spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Pedersen spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1243 by Senator Padden on page 2, line 30 to the committee striking amendment.

The motion by Senator Padden did not carry and floor amendment no. 1243 was not 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 Engrossed Substitute House Bill No. 2231.

The motion by Senator Pedersen carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute House Bill No. 2231 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 Pedersen 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 Substitute House Bill No. 2231 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2231 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 26; Nays, 20; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Carlyle, Cleveland, Darneille, Das, Dhingra, Hasegawa, Hobbs, Holy, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Brown, Conway, Fortunato, Frockt, Hawkins, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Short, Takko, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Becker, Ericksen and Sheldon

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2231 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. 2524, by Representatives Chandler, Blake and Dent

Expanding the scope of agricultural products subject to requirements in chapter 15.83 RCW related to negotiation concerning production or marketing.

The measure was read the second time.

MOTION

Senator Warnick moved that the following committee striking amendment by the Committee on Agriculture, Water, Natural Resources & Parks be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 15.83.010 and 1989 c 355 s 2 are each amended to read as follows:

~~(Unless the context clearly requires otherwise, the)~~ The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Accredited association of producers" means an association of producers which is accredited by the director to be the exclusive negotiation agent for all producer members of the association within a negotiating unit.

(2) "Advance contract" means a contract for purchase and sale of a crop entered into before the crop becomes a growing crop and providing for delivery at or after the harvest of that crop.

(3) "Agricultural products" as used in this chapter means pears, sweet corn, and potatoes produced for sale from farms in this state.

(4) "Association of producers" means any association of producers of agricultural products engaged in marketing, negotiating for its members, shipping, or processing as defined in section 15(a) of the federal agriculture marketing act of 1929 or in section 1 of 42 Stat. 388.

(5) "Director" means the director of the department of agriculture.

(6) "Handler" means a processor or a person engaged in the business or practice of:

(a) Acquiring agricultural products from producers or associations of producers for use by a processor;

(b) Processing agricultural products received from producers or associations of producers, provided that a cooperative association owned by producers shall not be a handler except when contracting for crops from producers who are not members of the cooperative association;

(c) Contracting or negotiating contracts or other arrangements, written or oral, with or on behalf of producers or associations of producers with respect to the production or marketing of any agricultural product for use by a processor; or

(d) Acting as an agent or broker for a handler in the performance of any function or act specified in (a), (b), or (c) of this subsection.

(7) "Negotiate" means meeting at reasonable times and for reasonable periods of time commencing at least sixty days before the normal planting date for sweet corn and potatoes, or at least sixty days before the normal harvest date for pears, and concluding within thirty days of the normal planting date for sweet corn and potatoes, or within thirty days of the normal harvest date for pears, to make a serious, fair, and reasonable attempt to reach agreement by acknowledging or refuting with reason points brought up by either party with respect to the price, terms of sale, compensation for products produced under contract, or other terms relating to the production or sale of these products: PROVIDED, That neither party shall be required to disclose proprietary business or financial records or information.

(8) "Negotiating unit" means a negotiating unit approved by the director under RCW 15.83.020.

(9) "Person" means an individual, partnership, corporation, association, or any other entity.

(10) "Processor" means any person that purchases agricultural crops from a producer and cans, freezes, dries, dehydrates, cooks, presses, powders, or otherwise processes those crops in any manner for eventual resale. A person who solely cleans, sorts, grades, and packages a farm product for sale without altering the natural condition of the product is not a processor. A person processing any portion of a crop is a processor.

(11) "Producer" means a person engaged in the production of agricultural products as a farmer or planter, including a grower or farmer furnishing inputs, production management, or facilities for growing or raising agricultural products. A producer who is also a handler shall be considered a handler under this chapter.

(12) "Qualified commodity" means agricultural products as defined in subsection (3) of this section.

Sec. 2. RCW 15.83.020 and 1989 c 355 s 3 are each amended to read as follows:

(1) An association of producers may file an application with the director:

(a) Requesting accreditation to serve as the exclusive negotiating agent on behalf of its producer members who are within a proposed negotiating unit with respect to any qualified commodity;

(b) Describing geographical boundaries of the proposed negotiating unit;

(c) Specifying the number of producers and the quantity of products included within the proposed negotiating unit;

(d) Specifying the number and location of the producers and the quantity of products represented by the association; ~~((and))~~

(e) Agreeing to reimburse the department for all anticipated and uncovered costs incurred by the department for actions necessary to carry out the provisions of this chapter; and

(f) Supplying any other information required by the director.

(2) Within a reasonable time after receiving an application under subsection (1) of this section, the director shall approve or disapprove the application in accordance with this section.

(a) The director shall approve the initial application or renewal if the director determines that:

(i) The association is owned and controlled by producers under the charter documents or bylaws of the association;

(ii) The association has valid and binding contracts with its members empowering the association to sell or negotiate terms of sale of its members' products or to negotiate for compensation for products produced under contract by its members;

(iii) The association represents a sufficient percentage of producers or that its members produce a sufficient percentage of agricultural products to enable it to function as an effective agent for producers in negotiating with a given handler as defined in rules promulgated by the department. In making this finding, the director shall exclude any quantity of the agricultural products contracted by producers with producer-owned and controlled processing cooperatives with its members and any quantity of these products produced by handlers;

(iv) One of the association's functions is to act as principal or agent for its members in negotiations with handlers for prices and other terms of trade with respect to the production, sale, and marketing of the products of its members, or for compensation for products produced by its members under contract; ~~((and))~~

(v) Sufficient resources, including public funds and any funds to be provided by the applicant under reimbursement agreements, will be available to cover department costs for services provided by the department in carrying out the provisions of this chapter,

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

including department costs to defend a decision made by the department under this chapter if such a decision is appealed; and
 (vi) Accreditation would not be contrary to the policies established in RCW 15.83.005.

(b) If the director does not approve the application under (a) of this subsection, then the association of producers may file an amended application with the director. The director, within a reasonable time, shall approve the amended application if it meets the requirements set out in (a) of this subsection.

(3) The department shall provide the association an estimate of expenses that may be incurred prior to the department's provision of services.

(4) At the discretion of the director, or upon submission of a timely filed petition by an affected handler or an affected association of producers, the association of producers accredited under this section may be required by the director to renew the application for accreditation by providing the information required under subsection (1) of this section.

Sec. 3. RCW 15.83.030 and 1989 c 355 s 4 are each amended to read as follows:

It shall be unlawful for any handler to engage, or permit any employee or agent to engage, in the following practices:

(1) To refuse to negotiate with an association of producers accredited under RCW 15.83.020 with respect to any qualified commodity: PROVIDED, That the obligation to negotiate does not require either party to agree to a proposal, to make a concession, or to enter into a contract;

(2) To coerce any producer in the exercise of his or her right to contract with, join, refrain from contracting with or joining, belong to an association of producers, or refuse to deal with any producer because of the exercise of that producer's right to contract with, join, or belong to an association or because of that producer's promotion of legislation on behalf of an association of producers;

(3) To discriminate against any producer with respect to price, quantity, quality, or other terms of purchase, acquisition, or other handling of agricultural products because of that producer's membership in or contract with an association of producers or because of that producer's promotion of legislation on behalf of an association of producers;

(4) To coerce or intimidate any producer to enter into, maintain, breach, cancel, or terminate a membership agreement or marketing contract with an association of producers or a contract with a handler;

(5) To pay or loan money, give anything of value, or offer any other inducement or reward to a producer for refusing or ceasing to belong to an association of producers;

(6) To make knowingly false reports about the finances, management, or activities of associations of producers or handlers; ((or))

(7) To conspire, agree, or arrange with any other person to do, aid, or abet any act made unlawful by this chapter; or

(8) To refuse, in the event that an acceptable price cannot be agreed to between a producer and a processor, to meet with a mutually agreed upon third-party mediator to resolve the price dispute. Any fees associated with the third-party mediation must be borne by the producer."

On page 1, line 3 of the title, after "marketing;" strike the remainder of the title and insert "and amending RCW 15.83.010, 15.83.020, and 15.83.030."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Agriculture, Water, Natural Resources & Parks to House Bill No. 2524.

The motion by Senator Warnick carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Warnick, the rules were suspended, 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.

Senator Warnick 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. 2524 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2524 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 Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker, Ericksen and Sheldon

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.

The Senate resumed consideration of Senate Bill No. 6515 which had been deferred on a previous legislative day, February 17, 2020.

SECOND READING

SENATE BILL NO. 6515, by Senators Van De Wege, Randall, Mullet, Takko, Lovelett, Liias, Conway, Hasegawa, and Wilson, C.

Adjusting the medicaid payment methodology for skilled nursing facilities.

On motion of Senator O'Ban and without objection, the motion by Senator O'Ban that Second Substitute Senate Bill No. 6515 be not substituted for Senate Bill No. 6515 and the substitute bill be not read the second time was withdrawn.

MOTION

On motion of Senator Van De Wege, Second Substitute Senate Bill No. 6515 was substituted for Senate Bill No. 6515 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Van De Wege moved that the following striking floor amendment no. 1234 by Senators O'Ban and Van De Wege be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 18.51.091 and 1987 c 476 s 24 are each amended to read as follows:

The department shall ~~((make or cause to be made at least one inspection of))~~ inspect each nursing home ~~((prior to license renewal and shall inspect community-based services as part of the licensing renewal survey))~~ periodically in accordance with federal standards under 42 C.F.R. Part 488, Subpart E. The inspection shall be made without providing advance notice of it. Every inspection may include an inspection of every part of the premises and an examination of all records, methods of administration, the general and special dietary and the stores and methods of supply. Those nursing homes that provide community-based care shall establish and maintain separate and distinct accounting and other essential records for the purpose of appropriately allocating costs of the providing of such care: PROVIDED, That such costs shall not be considered allowable costs for reimbursement purposes under chapter 74.46 RCW. Following such inspection or inspections, written notice of any violation of this law or the rules and regulations promulgated hereunder, shall be given to the applicant or licensee and the department. The notice shall describe the reasons for the facility's noncompliance. The department may prescribe by regulations that any licensee or applicant desiring to make specified types of alterations or additions to its facilities or to construct new facilities shall, before commencing such alteration, addition or new construction, submit its plans and specifications therefor to the department for preliminary inspection and approval or recommendations with respect to compliance with the regulations and standards herein authorized.

Sec. 2. RCW 18.51.230 and 1981 2nd ex.s. c 11 s 4 are each amended to read as follows:

The department shall, in addition to any inspections conducted pursuant to complaints filed pursuant to RCW 18.51.190, conduct ~~((at least one general inspection prior to license renewal of all nursing homes in the state without providing advance notice of such inspection. Periodically, such inspection shall take place in part between the hours of 7 p.m. and 5 a.m. or on weekends))~~ a periodic general inspection of each nursing home in the state without providing advance notice of such inspection. Such inspections must conform to the federal standards for surveys under 42 C.F.R. Part 488, Subpart E.

Sec. 3. RCW 74.42.360 and 2019 c 12 s 2 are each amended to read as follows:

(1) The facility shall have staff on duty twenty-four hours daily sufficient in number and qualifications to carry out the provisions of RCW 74.42.010 through 74.42.570 and the policies, responsibilities, and programs of the facility.

(2) The department shall institute minimum staffing standards for nursing homes. Beginning July 1, 2016, facilities must provide a minimum of 3.4 hours per resident day of direct care. Direct care staff has the same meaning as defined in RCW 74.42.010. The minimum staffing standard includes the time when such staff are providing hands-on care related to activities of daily living and nursing-related tasks, as well as care planning. The legislature intends to increase the minimum staffing standard to 4.1 hours per resident day of direct care, but the effective date of a standard higher than 3.4 hours per resident day of direct care will be identified if and only if funding is provided explicitly for an increase of the minimum staffing standard for direct care.

(a) The department shall establish in rule a system of compliance of minimum direct care staffing standards by January 1, 2016. Oversight must be done at least quarterly using the centers for medicare and medicaid services' payroll-based journal and nursing home facility census and payroll data.

(b) The department shall establish in rule by January 1, 2016, a system of financial penalties for facilities out of compliance with minimum staffing standards. No monetary penalty may be issued during the implementation period of July 1, 2016, through September 30, 2016. If a facility is found noncompliant during the implementation period, the department shall provide a written notice identifying the staffing deficiency and require the facility to provide a sufficiently detailed correction plan to meet the statutory minimum staffing levels. Monetary penalties begin October 1, 2016. Monetary penalties must be established based on a formula that calculates the cost of wages and benefits for the missing staff hours. If a facility meets the requirements in subsection (3) or (4) of this section, the penalty amount must be based solely on the wages and benefits of certified nurse aides. The first monetary penalty for noncompliance must be at a lower amount than subsequent findings of noncompliance. Monetary penalties established by the department may not exceed two hundred percent of the wage and benefit costs that would have otherwise been expended to achieve the required staffing minimum hours per resident day for the quarter. A facility found out of compliance must be assessed a monetary penalty at the lowest penalty level if the facility has met or exceeded the requirements in subsection (2) of this section for three or more consecutive years. Beginning July 1, 2016, pursuant to rules established by the department, funds that are received from financial penalties must be used for technical assistance, specialized training, or an increase to the quality enhancement established in RCW 74.46.561.

(c) The department shall establish in rule an exception allowing geriatric behavioral health workers as defined in RCW 74.42.010 to be recognized in the minimum staffing requirements as part of the direct care service delivery to individuals who have a behavioral health condition. Hours worked by geriatric behavioral health workers may be recognized as direct care hours for purposes of the minimum staffing requirements only up to a portion of the total hours equal to the proportion of resident days of clients with a behavioral health condition identified at that facility on the most recent semiannual minimum data set. In order to qualify for the exception:

(i) The worker must:

(A) Have a bachelor's or master's degree in social work, behavioral health, or other related areas; or

(B) Have at least three years experience providing care for individuals with chronic mental health issues, dementia, or intellectual and developmental disabilities in a long-term care or behavioral health care setting; or

(C) Have successfully completed a facility-based behavioral health curriculum approved by the department under RCW 74.39A.078;

(ii) Any geriatric behavioral health worker holding less than a master's degree in social work must be directly supervised by an employee who has a master's degree in social work or a registered nurse.

(d)(i) The department shall establish a limited exception to the 3.4 hours per resident day staffing requirement for facilities demonstrating a good faith effort to hire and retain staff.

(ii) To determine initial facility eligibility for exception consideration, the department shall send surveys to facilities anticipated to be below, at, or slightly above the 3.4 hours per resident day requirement. These surveys must measure the hours per resident day in a manner as similar as possible to the centers for medicare and medicaid services' payroll-based journal and cover the staffing of a facility from October through December of 2015, January through March of 2016, and April through June of 2016. A facility must be below the 3.4 staffing standard on all three surveys to be eligible for exception consideration. If the

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

staffing hours per resident day for a facility declines from any quarter to another during the survey period, the facility must provide sufficient information to the department to allow the department to determine if the staffing decrease was deliberate or a result of neglect, which is the lack of evidence demonstrating the facility's efforts to maintain or improve its staffing ratio. The burden of proof is on the facility and the determination of whether or not the decrease was deliberate or due to neglect is entirely at the discretion of the department. If the department determines a facility's decline was deliberate or due to neglect, that facility is not eligible for an exception consideration.

(iii) To determine eligibility for exception approval, the department shall review the plan of correction submitted by the facility. Before a facility's exception may be renewed, the department must determine that sufficient progress is being made towards reaching the 3.4 hours per resident day staffing requirement. When reviewing whether to grant or renew an exception, the department must consider factors including but not limited to: Financial incentives offered by the facilities such as recruitment bonuses and other incentives; the robustness of the recruitment process; county employment data; specific steps the facility has undertaken to improve retention; improvements in the staffing ratio compared to the baseline established in the surveys and whether this trend is continuing; and compliance with the process of submitting staffing data, adherence to the plan of correction, and any progress toward meeting this plan, as determined by the department.

(iv) Only facilities that have their direct care component rate increase capped according to RCW 74.46.561 are eligible for exception consideration. Facilities that will have their direct care component rate increase capped for one or two years are eligible for exception consideration through June 30, 2017. Facilities that will have their direct care component rate increase capped for three years are eligible for exception consideration through June 30, 2018.

(v) The department may not grant or renew a facility's exception if the facility meets the 3.4 hours per resident day staffing requirement and subsequently drops below the 3.4 hours per resident day staffing requirement.

(vi) The department may grant exceptions for a six-month period per exception. The department's authority to grant exceptions to the 3.4 hours per resident day staffing requirement expires June 30, 2018.

(3)(a) Large nonessential community providers must have a registered nurse on duty directly supervising resident care twenty-four hours per day, seven days per week.

(b)(i) The department shall establish a limited exception process ~~((to facilities))~~ for large nonessential community providers that can demonstrate a good faith effort to hire a registered nurse for the last eight hours of required coverage per day. In granting an exception, the department may consider the competitiveness of the wages and benefits offered as compared to nursing facilities in comparable geographic or metropolitan areas within Washington state, the provider's recruitment and retention efforts, and the availability of registered nurses in the particular geographic area. A one-year exception may be granted and may be renewable ~~((for up to three consecutive years))~~; however, the department may limit the admission of new residents, based on medical conditions or complexities, when a registered nurse is not on-site and readily available. If a ~~((facility))~~ large nonessential community provider receives an ~~((exemption))~~ exception, that information must be included in the department's nursing home locator. ~~((After June 30, 2019))~~

(ii) By August 1, 2023, and every three years thereafter, the department, along with a stakeholder work group established by

the department, shall conduct a review of the exceptions process to determine if it is still necessary. As part of this review, the department shall provide the legislature with a report that includes enforcement and citation data for large nonessential community providers that were granted an exception in the three previous fiscal years in comparison to those without an exception. The report must include a similar comparison of data, provided to the department by the long-term care ombuds, on long-term care ombuds referrals for large nonessential community providers that were granted an exception in the three previous fiscal years and those without an exception. This report, along with a recommendation as to whether the exceptions process should continue, is due to the legislature by December 1st of each year in which a review is conducted. Based on the recommendations outlined in this report, the legislature may take action to end the exceptions process.

(4) Essential community providers and small nonessential community providers must have a registered nurse on duty directly supervising resident care a minimum of sixteen hours per day, seven days per week, and a registered nurse or a licensed practical nurse on duty directly supervising resident care the remaining eight hours per day, seven days per week.

(5) For the purposes of this section, "behavioral health condition" means one or more of the behavioral symptoms specified in section E of the minimum data set.

Sec. 4. RCW 74.46.561 and 2019 c 301 s 1 are each amended to read as follows:

(1) The legislature adopts a new system for establishing nursing home payment rates beginning July 1, 2016. Any payments to nursing homes for services provided after June 30, 2016, must be based on the new system. The new system must be designed in such a manner as to decrease administrative complexity associated with the payment methodology, reward nursing homes providing care for high acuity residents, incentivize quality care for residents of nursing homes, and establish minimum staffing standards for direct care.

(2) The new system must be based primarily on industry-wide costs, and have three main components: Direct care, indirect care, and capital.

(3) The direct care component must include the direct care and therapy care components of the previous system, along with food, laundry, and dietary services. Direct care must be paid at a fixed rate, based on one hundred percent or greater of statewide case mix neutral median costs, but shall be set so that a nursing home provider's direct care rate does not exceed one hundred eighteen percent of its base year's direct care allowable costs except if the provider is below the minimum staffing standard established in RCW 74.42.360(2). Direct care must be performance-adjusted for acuity every six months, using case mix principles. Direct care must be regionally adjusted using county wide wage index information available through the United States department of labor's bureau of labor statistics. There is no minimum occupancy for direct care. The direct care component rate allocations calculated in accordance with this section must be adjusted to the extent necessary to comply with RCW 74.46.421.

(4) The indirect care component must include the elements of administrative expenses, maintenance costs, and housekeeping services from the previous system. A minimum occupancy assumption of ninety percent must be applied to indirect care. Indirect care must be paid at a fixed rate, based on ninety percent or greater of statewide median costs. The indirect care component rate allocations calculated in accordance with this section must be adjusted to the extent necessary to comply with RCW 74.46.421.

(5) The capital component must use a fair market rental system to set a price per bed. The capital component must be adjusted for

the age of the facility, and must use a minimum occupancy assumption of ninety percent.

(a) Beginning July 1, 2016, the fair rental rate allocation for each facility must be determined by multiplying the allowable nursing home square footage in (c) of this subsection by the RSMean rental rate in (d) of this subsection and by the number of licensed beds yielding the gross unadjusted building value. An equipment allowance of ten percent must be added to the unadjusted building value. The sum of the unadjusted building value and equipment allowance must then be reduced by the average age of the facility as determined by (e) of this subsection using a depreciation rate of one and one-half percent. The depreciated building and equipment plus land valued at ten percent of the gross unadjusted building value before depreciation must then be multiplied by the rental rate at seven and one-half percent to yield an allowable fair rental value for the land, building, and equipment.

(b) The fair rental value determined in (a) of this subsection must be divided by the greater of the actual total facility census from the prior full calendar year or imputed census based on the number of licensed beds at ninety percent occupancy.

(c) For the rate year beginning July 1, 2016, all facilities must be reimbursed using four hundred square feet. For the rate year beginning July 1, 2017, allowable nursing facility square footage must be determined using the total nursing facility square footage as reported on the medicaid cost reports submitted to the department in compliance with this chapter. The maximum allowable square feet per bed may not exceed four hundred fifty.

(d) Each facility must be paid at eighty-three percent or greater of the median nursing facility RSMean construction index value per square foot. The department may use updated RSMean construction index information when more recent square footage data becomes available. The statewide value per square foot must be indexed based on facility zip code by multiplying the statewide value per square foot times the appropriate zip code based index. For the purpose of implementing this section, the value per square foot effective July 1, 2016, must be set so that the weighted average fair rental value rate is not less than ten dollars and eighty cents per patient day. The capital component rate allocations calculated in accordance with this section must be adjusted to the extent necessary to comply with RCW 74.46.421.

(e) The average age is the actual facility age reduced for significant renovations. Significant renovations are defined as those renovations that exceed two thousand dollars per bed in a calendar year as reported on the annual cost report submitted in accordance with this chapter. For the rate beginning July 1, 2016, the department shall use renovation data back to 1994 as submitted on facility cost reports. Beginning July 1, 2016, facility ages must be reduced in future years if the value of the renovation completed in any year exceeds two thousand dollars times the number of licensed beds. The cost of the renovation must be divided by the accumulated depreciation per bed in the year of the renovation to determine the equivalent number of new replacement beds. The new age for the facility is a weighted average with the replacement bed equivalents reflecting an age of zero and the existing licensed beds, minus the new bed equivalents, reflecting their age in the year of the renovation. At no time may the depreciated age be less than zero or greater than forty-four years.

(f) A nursing facility's capital component rate allocation must be rebased annually, effective July 1, 2016, in accordance with this section and this chapter.

(g) For the purposes of this subsection (5), "RSMean" means building construction costs data as published by Gordian.

(6) A quality incentive must be offered as a rate enhancement beginning July 1, 2016.

(a) An enhancement no larger than five percent and no less than one percent of the statewide average daily rate must be paid to facilities that meet or exceed the standard established for the quality incentive. All providers must have the opportunity to earn the full quality incentive payment.

(b) The quality incentive component must be determined by calculating an overall facility quality score composed of four to six quality measures. For fiscal year 2017 there shall be four quality measures, and for fiscal year 2018 there shall be six quality measures. Initially, the quality incentive component must be based on minimum data set quality measures for the percentage of long-stay residents who self-report moderate to severe pain, the percentage of high-risk long-stay residents with pressure ulcers, the percentage of long-stay residents experiencing one or more falls with major injury, and the percentage of long-stay residents with a urinary tract infection. Quality measures must be reviewed on an annual basis by a stakeholder work group established by the department. Upon review, quality measures may be added or changed. The department may risk adjust individual quality measures as it deems appropriate.

(c) The facility quality score must be point based, using at a minimum the facility's most recent available three-quarter average centers for medicare and medicaid services quality data. Point thresholds for each quality measure must be established using the corresponding statistical values for the quality measure point determinants of eighty quality measure points, sixty quality measure points, forty quality measure points, and twenty quality measure points, identified in the most recent available five-star quality rating system technical user's guide published by the centers for medicare and medicaid services.

(d) Facilities meeting or exceeding the highest performance threshold (top level) for a quality measure receive twenty-five points. Facilities meeting the second highest performance threshold receive twenty points. Facilities meeting the third level of performance threshold receive fifteen points. Facilities in the bottom performance threshold level receive no points. Points from all quality measures must then be summed into a single aggregate quality score for each facility.

(e) Facilities receiving an aggregate quality score of eighty percent of the overall available total score or higher must be placed in the highest tier (tier V), facilities receiving an aggregate score of between seventy and seventy-nine percent of the overall available total score must be placed in the second highest tier (tier IV), facilities receiving an aggregate score of between sixty and sixty-nine percent of the overall available total score must be placed in the third highest tier (tier III), facilities receiving an aggregate score of between fifty and fifty-nine percent of the overall available total score must be placed in the fourth highest tier (tier II), and facilities receiving less than fifty percent of the overall available total score must be placed in the lowest tier (tier I).

(f) The tier system must be used to determine the amount of each facility's per patient day quality incentive component. The per patient day quality incentive component for tier IV is seventy-five percent of the per patient day quality incentive component for tier V, the per patient day quality incentive component for tier III is fifty percent of the per patient day quality incentive component for tier V, and the per patient day quality incentive component for tier II is twenty-five percent of the per patient day quality incentive component for tier V. Facilities in tier I receive no quality incentive component.

(g) Tier system payments must be set in a manner that ensures that the entire biennial appropriation for the quality incentive program is allocated.

(h) Facilities with insufficient three-quarter average centers for medicare and medicaid services quality data must be assigned to

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

the tier corresponding to their five-star quality rating. Facilities with a five-star quality rating must be assigned to the highest tier (tier V) and facilities with a one-star quality rating must be assigned to the lowest tier (tier I). The use of a facility's five-star quality rating shall only occur in the case of insufficient centers for medicare and medicaid services minimum data set information.

(i) The quality incentive rates must be adjusted semiannually on July 1 and January 1 of each year using, at a minimum, the most recent available three-quarter average centers for medicare and medicaid services quality data.

(j) Beginning July 1, 2017, the percentage of short-stay residents who newly received an antipsychotic medication must be added as a quality measure. The department must determine the quality incentive thresholds for this quality measure in a manner consistent with those outlined in (b) through (h) of this subsection using the centers for medicare and medicaid services quality data.

(k) Beginning July 1, 2017, the percentage of direct care staff turnover must be added as a quality measure using the centers for medicare and medicaid services' payroll-based journal and nursing home facility payroll data. Turnover is defined as an employee departure. The department must determine the quality incentive thresholds for this quality measure using data from the centers for medicare and medicaid services' payroll-based journal, unless such data is not available, in which case the department shall use direct care staffing turnover data from the most recent medicaid cost report.

(7) Reimbursement of the safety net assessment imposed by chapter 74.48 RCW and paid in relation to medicaid residents must be continued.

~~(8)(a) The direct care and indirect care components must be rebased ((in even numbered years, beginning with rates paid on July 1, 2016. Rates paid on July 1, 2016, must be based on the 2014 calendar year cost report. On a percentage basis, after rebasing, the department must confirm that the statewide average daily rate has increased at least as much as the average rate of inflation, as determined by the skilled nursing facility market basket index published by the centers for medicare and medicaid services, or a comparable index. If after rebasing, the percentage increase to the statewide average daily rate is less than the average rate of inflation for the same time period, the department is authorized to increase rates by the difference between the percentage increase after rebasing and the average rate of inflation)) effective May 1, 2020, or the month following the effective date of this section, whichever comes last, through June 30, 2020, using 2018 calendar year cost report information.~~

~~(b) Beginning July 1, 2020, the direct care and indirect care components must be rebased annually. Rates paid shall be established using the most recent adjusted cost report information available. The most recent adjusted cost report information shall be the base year costs.~~

~~(c) Beginning July 1, 2020, and annually through June 30, 2023, the department shall modify the direct and indirect care rebased components from the midpoint of the base year to the beginning of the rate year using the most recent calendar year twelve-month average consumer price index for all urban consumers (CPI-U) in the medical expenditure category of nursing homes and adult day services as published by the United States bureau of labor statistics.~~

~~(d) Beginning July 1, 2020, the indirect care inflationary rate increase from (c) of this subsection (8) shall be distributed according to the facility's number of outpatient emergency department visits per one thousand long-stay resident days using~~

~~the centers for medicare and medicaid services' five-star quality rating data as the source of measurement.~~

~~(i) Facility performance must be evaluated on two metrics:~~

~~(A) Performance compared to national benchmarks determined as follows:~~

~~(I) A national score of one hundred thirty-five or greater equates to a performance percentage of one hundred twenty-five percent;~~

~~(II) A national score of one hundred five or one hundred twenty equates to a performance percentage of one hundred percent;~~

~~(III) A national score of seventy-five or ninety equates to a performance percentage of eighty percent;~~

~~(IV) A national score of sixty or below equates to a performance percentage of sixty percent; and~~

~~(B) Year-over-year improvement determined as follows:~~

~~(I) An improvement of up to nine percent over the previous year's score equates to an improvement percentage of sixty percent;~~

~~(II) An improvement of greater than nine percent and less than fifteen percent over the previous year's score equates to an improvement percentage of eighty percent; and~~

~~(III) An improvement of fifteen percent or greater over the previous year's score equates to an improvement percentage of one hundred percent.~~

~~(ii) Facilities must be placed in one of four tiers based on the average of the performance and improvement percentages. The rate increases must be distributed among the four tiers as follows:~~

~~(A) Tier one must include an average percentage that is greater than or equal to one hundred percent and qualifies for up to one hundred twenty-five percent of the available rate increase;~~

~~(B) Tier two must include an average percentage that is greater than or equal to ninety percent but less than one hundred percent and qualifies for up to one hundred percent of the available rate increase. Facilities with data deemed insufficient by the centers for medicare and medicaid services must be included in tier two;~~

~~(C) Tier three must include an average percentage that is greater than or equal to eighty but less than ninety percent and qualifies for up to eighty percent of the available rate increase; and~~

~~(D) Tier four must include an average percentage that is less than eighty percent and qualifies for up to sixty percent of the available rate increase.~~

~~(e) Any savings generated from (d) of this subsection (8) must be applied to the quality incentive identified in subsection (6) of this section.~~

~~(f) The department may adjust the outpatient emergency department visits performance measure in (d) of this subsection (8) to ensure budget neutrality.~~

~~(g) Beginning July 1, 2023, a facility specific rate add-on equal to the inflationary adjustment that the facility received for the direct care component in fiscal year 2023 shall be added to the rate.~~

~~(h) Beginning July 1, 2023, the funding provided for the inflationary adjustment for the indirect care component from (c) of this subsection (8) must be annually redistributed as specified in (d) of this subsection (8).~~

~~(i) The department shall review the calendar year cost reports from 2018 through 2021 and compare medicaid allowable costs in direct care and indirect care to rates paid to determine the impacts of annual inflationary adjustments. Based on its findings, the department shall make recommendations for ongoing inflation to the legislature. This report is due to appropriate committees of the legislature by December 1, 2022.~~

~~(9) The direct care component provided in subsection (3) of this section is subject to the reconciliation and settlement process~~

provided in RCW 74.46.022(6). Beginning July 1, 2016, pursuant to rules established by the department, funds that are received through the reconciliation and settlement process provided in RCW 74.46.022(6) must be used for technical assistance, specialized training, or an increase to the quality enhancement established in subsection (6) of this section. The legislature intends to review the utility of maintaining the reconciliation and settlement process under a price-based payment methodology, and may discontinue the reconciliation and settlement process after the 2017-2019 fiscal biennium.

(10) Compared to the rate in effect June 30, 2016, including all cost components and rate add-ons, no facility may receive a rate reduction of more than one percent on July 1, 2016, more than two percent on July 1, 2017, or more than five percent on July 1, 2018. To ensure that the appropriation for nursing homes remains cost neutral, the department is authorized to cap the rate increase for facilities in fiscal years 2017, 2018, and 2019.

NEW SECTION. Sec. 5. A new section is added to chapter 74.46 RCW to read as follows:

The department, in consultation with the health care authority and stakeholders, shall review the impact of the distribution of the inflationary adjustment for the indirect care component and report its findings and recommendations to the appropriate committees of the legislature by December 1, 2021. To the extent practicable, the department's report must include a comparative analysis of the following metrics before and after the effective date of this section:

- (1) Skilled nursing facility residents' emergency department visits;
- (2) Case mix acuity;
- (3) The number of long-term services and supports medicaid clients that are being served in nursing homes; and
- (4) The number of licensed nursing homes and the number of licensed beds.

NEW SECTION. Sec. 6. Any savings as a result of overappropriations associated with the rebase for fiscal year 2021 shall be utilized for the purposes of this act.

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 "facilities;" strike the remainder of the title and insert "amending RCW 18.51.091, 18.51.230, 74.42.360, and 74.46.561; adding a new section to chapter 74.46 RCW; creating a new section; and declaring an emergency."

The President declared the question before the Senate to be the adoption of striking floor amendment no. 1234 by Senators O'Ban and Van De Wege to Second Substitute Senate Bill No. 6515.

The motion by Senator Van De Wege carried and striking floor amendment no. 1234 was adopted by voice vote.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6515 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege, O'Ban and Keiser 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. 6515.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6515 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker, Ericksen and Sheldon

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6515, having received the 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 2:51 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Warnick announced a meeting of the Republican Caucus immediately upon going at ease.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

EVENING SESSION

The Senate was called to order at 5:37 p.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nguyen moved that Jerome O. Cohen, Senate Gubernatorial Appointment No. 9171, be confirmed as a member of the Higher Education Facilities Authority.

Senator Nguyen spoke in favor of the motion.

APPOINTMENT OF JEROME O. COHEN

The President declared the question before the Senate to be the confirmation of Jerome O. Cohen, Senate Gubernatorial Appointment No. 9171, as a member of the Higher Education Facilities Authority.

The Secretary called the roll on the confirmation of Jerome O. Cohen, Senate Gubernatorial Appointment No. 9171, as a member of the Higher Education Facilities Authority and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall,

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker and Sheldon

Jerome O. Cohen, Senate Gubernatorial Appointment No. 9171, having received the constitutional majority was declared confirmed as a member of the Higher Education Facilities Authority.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

ENGROSSED HOUSE BILL NO. 2965, by Representatives Cody, Schmick, Riccelli, Bergquist, Callan, Dufault, Hudgins, Leavitt, Shewmake, Tharinger, Maycumber, Ramos, Ortiz-Self and Stonier

Concerning the state's response to the novel coronavirus.

The measure was read the second time.

MOTION

Senator Billig moved that the following floor amendment no. 1259 by Senators Billig and Braun be adopted:

On page 1, line 15, after "account" insert "and the sum of twenty five million dollars is appropriated from the general fund-federal"

On page 1, line 17, strike "is" and insert "are"

On page 2, line 1, strike "appropriation" and insert "appropriations"

On page 2, line 2, strike "is" and insert "are"

On page 2, line 7, after "state," insert "tribal,"

On page 2, line 9, after "Agencies" insert ", federally recognized tribes,"

On page 2, line 12, after "agency" insert ", federally recognized tribe,"

On page 2, line 14, after "agency" insert ", federally recognized tribe,"

Senators Billig and Braun spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1259 by Senators Billig and Braun on page 1, line 15 to Engrossed House Bill No. 2965.

The motion by Senator Billig carried and floor amendment no. 1259 was adopted by voice vote.

MOTION

Senator Braun moved that the following floor amendment no. 1258 by Senators Braun and Billig be adopted:

On page 3, beginning on line 5, strike all of section 4 and insert the following:

"NEW SECTION. Sec. 4. (1) The department of social and health services is authorized to determine nursing facility payments to adequately resource facilities responding to the novel

coronavirus outbreak pursuant to the gubernatorial declaration of emergency of February 29, 2020. The medicaid payments provided to nursing facilities in response to this state of emergency shall be determined by the department as appropriate to address the immediate safety needs of Washington state citizens and shall not be subject to this chapter's medicaid methodology. Any nursing facility payment made under this section shall not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(2) This section expires June 30, 2021.

Sec. 5. RCW 50.20.010 and 2019 c 50 s 1 are each amended to read as follows:

(1) An unemployed individual shall be eligible to receive waiting period credits or benefits with respect to any week in his or her eligibility period only if the commissioner finds that:

(a) He or she has registered for work at, and thereafter has continued to report at, an employment office in accordance with such regulation as the commissioner may prescribe, except that the commissioner may by regulation waive or alter either or both of the requirements of this subdivision as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which the commissioner finds that the compliance with such requirements would be oppressive, or would be inconsistent with the purposes of this title;

(b) He or she has filed an application for an initial determination and made a claim for waiting period credit or for benefits in accordance with the provisions of this title;

(c) He or she is able to work, and is available for work in any trade, occupation, profession, or business for which he or she is reasonably fitted.

(i) To be available for work, an individual must be ready, able, and willing, immediately to accept any suitable work which may be offered to him or her and must be actively seeking work pursuant to customary trade practices and through other methods when so directed by the commissioner or the commissioner's agents. If a labor agreement or dispatch rules apply, customary trade practices must be in accordance with the applicable agreement or rules.

(ii) Until June 30, 2021, an individual under quarantine or isolation, as defined by the department of health, as directed by a public health official during the novel coronavirus outbreak pursuant to the gubernatorial declaration of emergency of February 29, 2020, does not need to meet the requirements of this subsection (1)(c).

(iii) For the purposes of this subsection, "customary trade practices" includes compliance with an electrical apprenticeship training program that includes a recognized referral system under apprenticeship program standards approved by the Washington state apprenticeship and training council;

(d) He or she has been unemployed for a waiting period of one week;

(e) He or she participates in reemployment services if the individual has been referred to reemployment services pursuant to the profiling system established by the commissioner under RCW 50.20.011, unless the commissioner determines that:

(i) The individual has completed such services; or

(ii) There is justifiable cause for the claimant's failure to participate in such services; and

(f) As to weeks beginning after March 31, 1981, which fall within an extended benefit period as defined in RCW 50.22.010, the individual meets the terms and conditions of RCW 50.22.020 with respect to benefits claimed in excess of twenty-six times the individual's weekly benefit amount.

(2) An individual's eligibility period for regular benefits shall be coincident to his or her established benefit year. An

individual's eligibility period for additional or extended benefits shall be the periods prescribed elsewhere in this title for such benefits.

NEW SECTION. Sec. 6. If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state or the eligibility of employers in this state for federal unemployment tax credits, the conflicting part of this act is inoperative solely to the extent of the conflict, and the finding or determination does not affect the operation of the remainder of this act. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state or the granting of federal unemployment tax credits to employers in this state."

Renumber the remaining section consecutively and correct any internal references accordingly.

On page 1, line 2 of the title, after "38.52.105" strike "; adding a new section to chapter 74.46 RCW;" and insert "and 50.20.010; creating new sections;" and on line 3, after "appropriations;" insert "providing an expiration date;"

Senators Braun and Billig spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1258 by Senators Braun and Billig on page 3, line 5 to Engrossed House Bill No. 2965.

The motion by Senator Braun carried and floor amendment no. 1258 was adopted by voice vote.

MOTION

On motion of Senator Billig, the rules were suspended, Engrossed House Bill No. 2965 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 Billig, Schoesler, Cleveland and Braun 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. 2965 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2965 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 Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker and Sheldon

ENGROSSED HOUSE BILL NO. 2965 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.

MOMENT OF SILENCE

At the request of the President, the senate rose and observed a moment of silence in memory of the ten persons who have lost their lives due to the coronavirus this week alone.

EDITOR'S NOTE: On February 29, 2020, Governor Jay Inslee issued Proclamation 20-05, proclaiming a state of emergency for all counties as a result of the coronavirus disease 2019 (COVID-19) outbreak and confirmed person-to-person spread of COVID-19 in Washington State.

PERSONAL PRIVILEGE

Senator Rivers: "Thank you Mr. President. I would just also request that we keep in our hearts and prayers the seventy-four people who have lost their lives to the flu this flu season. Thank you."

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2417, by House Committee on Public Safety (originally sponsored by Davis and Peterson)

Concerning individuals serving community custody terms.

The measure was read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator O'Ban and without objection, floor amendment no. 1232 by Senator O'Ban on page 1, line 4 to Substitute House Bill No. 2417 was withdrawn.

MOTION

On motion of Senator Darneille, the rules were suspended, Substitute House Bill No. 2417 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Darneille 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 Substitute House Bill No. 2417.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2417 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 21; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Walsh, Wellman and Wilson, C.

Voting nay: Senators Braun, Brown, Conway, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Short, Takko, Van De Wege, Wagoner, Warnick, Wilson, L. and Zeiger

Excused: Senators Becker and Sheldon

SUBSTITUTE HOUSE BILL NO. 2417, having received the 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. 2295, by House Committee on Civil Rights & Judiciary (originally sponsored by Goodman, Griffey, Irwin and Wylie)

Concerning enforcement of small claims court judgments.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute House Bill No. 2295 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 Substitute House Bill No. 2295.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2295 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker and Sheldon

SUBSTITUTE HOUSE BILL NO. 2295, having received the 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. 2315, by Representatives Orwall, Fitzgibbon and Pellicciotti

Installing, repairing, replacing, and updating mitigation equipment installed within an impacted area.

The measure was read the second time.

MOTION

Senator Takko moved that the following committee striking amendment by the Committee on Local Government be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 53.54.030 and 1993 c 150 s 1 are each amended to read as follows:

For the purposes of this chapter, in developing a remedial program, the port commission may utilize one or more of the following programs:

(1) Acquisition of property or property rights within the impacted area, which shall be deemed necessary to accomplish a

port purpose. The port district may purchase such property or property rights by time payment notwithstanding the time limitations provided for in RCW 53.08.010. The port district may mortgage or otherwise pledge any such properties acquired to secure such transactions. The port district may assume any outstanding mortgages.

(2) Transaction assistance programs, including assistance with real estate fees and mortgage assistance, and other neighborhood remedial programs as compensation for impacts due to aircraft noise and noise associated conditions. Any such programs shall be in connection with properties located within an impacted area and shall be provided upon terms and conditions as the port district shall determine appropriate.

(3) Programs of soundproofing structures located within an impacted area. Such programs may be executed without regard to the ownership, provided the owner waives damages and conveys an easement for the operation of aircraft, and for noise and noise associated conditions therewith, to the port district.

(4) Mortgage insurance of private owners of lands or improvements within such noise impacted area where such private owners are unable to obtain mortgage insurance solely because of noise impact. In this regard, the port district may establish reasonable regulations and may impose reasonable conditions and charges upon the granting of such mortgage insurance: PROVIDED, That such fees and charges shall at no time exceed fees established for federal mortgage insurance programs for like service.

(5)(a) An individual property may be provided benefits by the port district under each of the programs described in subsections (1) through (4) of this section. However, an individual property may not be provided benefits under any one of these programs more than once, unless the property ((is));

(i) Is subjected to increased aircraft noise or differing aircraft noise impacts that would have afforded different levels of mitigation, even if the property owner had waived all damages and conveyed a full and unrestricted easement; or

(ii) Contains a soundproofing installation, structure, or other type of sound mitigation equipment product or benefit previously installed pursuant to the remedial program under this chapter by the port district that is determined through inspection to be in need of a repair or replacement.

(b) Port districts choosing to exercise the authority under (a)(ii) of this subsection are required to conduct inspections of homes where mitigation improvements are no longer working as intended. In those properties, port districts must work with a state certified building inspector to determine whether package failure resulted in additional hazards or structural damage to the property.

(6) Management of all lands, easements, or development rights acquired, including but not limited to the following:

(a) Rental of any or all lands or structures acquired;

(b) Redevelopment of any such lands for any economic use consistent with airport operations, local zoning and the state environmental policy;

(c) Sale of such properties for cash or for time payment and subjection of such property to mortgage or other security transaction: PROVIDED, That any such sale shall reserve to the port district by covenant an unconditional right of easement for the operation of all aircraft and for all noise or noise conditions associated therewith.

(7) A property shall be considered within the impacted area if any part thereof is within the impacted area."

On page 1, line 2 of the title, after "area;" strike the remainder of the title and insert "and amending RCW 53.54.030."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Local Government to House Bill No. 2315.

The motion by Senator Takko carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Takko, the rules were suspended, House Bill No. 2315 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short 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. 2315.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2315 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker and Sheldon

HOUSE BILL NO. 2315, having received the 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 Habib: "Ladies and Gentlemen, if I could have the Senate's attention. If I could have the senators come on to the floor for a special announcement. Senator Muzzall, if you could please stand. Ladies and Gentlemen, we have a birthday and I know we have had a lot of tough news this week and today, but we have a new senator who is spending his birthday in the best possible way, I think he possibly could, with his new friends here in the Washington State Senate. Give him a round of applause, our birthday boy."

The Senate rose and recognized the anniversary of the birth of Senator Muzzall, performing a rendition of "Happy Birthday."

PERSONAL PRIVILEGE

Senator Muzzall: "Thank you all very much. The best birthday gift today was that my bill passed through the House, so, that's good. The second one would be that we just passed another bill by Representative Orwall who . . . she and I went to high school together."

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2483, by House Committee on Public Safety (originally sponsored by Van Werven, Goodman and Ormsby)

Clarifying vehicle impoundment and redemption following arrest for driving or being in physical control of a vehicle while under the influence of alcohol or drugs.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Substitute House Bill No. 2483 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden, Pedersen and 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. 2483.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2483 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker and Sheldon

SUBSTITUTE HOUSE BILL NO. 2483, having received the 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. 2525, by House Committee on Human Services & Early Learning (originally sponsored by Callan, Corry, Eslick, Springer, Orwall, Ortiz-Self, Shewmake, Goodman, Senn, Caldier, Dent, Leavitt, Davis, Doglio, J. Johnson and Pollet)

Establishing the family connections program.

The measure was read the second time.

MOTION

On motion of Senator Darneille, the rules were suspended, Substitute House Bill No. 2525 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille and Walsh 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. 2525.

ROLL CALL

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

The Secretary called the roll on the final passage of Substitute House Bill No. 2525 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker and Sheldon

SUBSTITUTE HOUSE BILL NO. 2525, having received the 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. 2619, by Representatives Shewmake, Chapman, Ramel, Springer, Van Werven, Senn, Doglio, Goodman and Tharinger

Increasing early learning access through licensing, eligibility, and rate improvements.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, House Bill No. 2619 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins 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. 2619.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2619 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker and Sheldon

HOUSE BILL NO. 2619, having received the 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. 1651, by House Committee on Human Services & Early Learning (originally sponsored by Kilduff, Dent, Lovick, Eslick, Senn, Leavitt, Macri,

Callan, Cody, Tarleton, Ortiz-Self, Goodman, Jinkins, Frame, Bergquist and Santos)

Concerning the rights of clients of the developmental disabilities administration of the department of social and health services. Revised for 2nd Substitute: Identifying rights of persons receiving state developmental disability services.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Second Substitute House Bill No. 1651 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland 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 Second Substitute House Bill No. 1651.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1651 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker and Sheldon

SECOND SUBSTITUTE HOUSE BILL NO. 1651, having received the 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 6:40 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President for the purposes of a dinner break.

The Senate was called to order at 7:45 p.m. by President Habib.

MOTION

On motion of Senator Liias, the Senate advanced to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Padden moved that Mark Mattke, Senate Gubernatorial Appointment No. 9202, be confirmed as a member of the Workforce Training and Education Coordinating Board.

Senator Padden spoke in favor of the motion.

APPOINTMENT OF MARK MATTKE

The President declared the question before the Senate to be the confirmation of Mark Mattke, Senate Gubernatorial Appointment No. 9202, as a member of the Workforce Training and Education Coordinating Board.

The Secretary called the roll on the confirmation of Mark Mattke, Senate Gubernatorial Appointment No. 9202, as a member of the Workforce Training and Education Coordinating Board and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 2; Excused, 2.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senators Ericksen and Pedersen

Excused: Senators Becker and Sheldon

Mark Mattke, Senate Gubernatorial Appointment No. 9202, having received the constitutional majority was declared confirmed as a member of the Workforce Training and Education Coordinating Board.

MOTION

On motion of Senator Liias, the Senate reverted to the sixth order of business.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2066, by House Committee on Transportation (originally sponsored by Davis, Pellicciotti, Goodman, Appleton, Sutherland, Graham, Klippert, Leavitt and Pollet)

Addressing restrictions on driver's licenses associated with certain criminal offenses.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Second Substitute House Bill No. 2066 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden 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. 2066.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2066 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser,

King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker and Sheldon

SECOND SUBSTITUTE HOUSE BILL NO. 2066, having received the 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. 2783, by House Committee on Local Government (originally sponsored by Griffey, Springer and Walen)

Standardizing fire safety requirements for mobile on-demand gasoline providers.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, Engrossed Substitute House Bill No. 2783 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short 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. 2783.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2783 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker and Sheldon

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2783, having received the 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. 1023, by House Committee on Health Care & Wellness (originally sponsored by Macri, Harris, Cody, MacEwen, Pollet, DeBolt, Springer, Kretz, Appleton, Caldier, Slatter, Vick, Stanford, Fitzgibbon, Riccelli, Robinson, Kloba, Valdez, Ryu, Tharinger, Jinkins, Wylie, Goodman, Bergquist, Doglio, Chambers, Senn, Ortiz-Self, Stonier, Frame, Ormsby and Reeves)

Allowing certain adult family homes to increase capacity to eight beds.

The measure was read the second time.

MOTION

MOTION

Senator O'Ban moved that the following floor amendment no. 1216 by Senator O'Ban be adopted:

On page 3, line 12, after "evacuation;" strike "and"

On page 3, line 13, after "(g)" insert "The home attests to not serving individuals who have been judicially determined to meet the definition of sexually violent predator under RCW 71.09.020 or individuals for whom the court has made an affirmative special finding under RCW 71.05.280(3)(b); and

(h)"

On page 3, line 24, after "application;" strike "and"

On page 3, line 25, after "(c)" insert "The home attests to not serving individuals who have been judicially determined to meet the definition of sexually violent predator under RCW 71.09.020 or individuals for whom the court has made an affirmative special finding under RCW 71.05.280(3)(b); and

(d)"

Senator O'Ban spoke in favor of adoption of the amendment.

Senator Cleveland spoke against adoption of the amendment.

Senator O'Ban 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 the amendment by Senator O'Ban on page 3, line 12 to Engrossed Substitute House Bill No. 1023.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator O'Ban and the amendment was not adopted by the following vote: Yeas, 19; Nays, 28; Absent, 0; Excused, 2.

Voting yea: Senators Braun, Brown, Conway, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Walsh, Wellman and Wilson, C.

Excused: Senators Becker and Sheldon.

MOTION

Senator O'Ban moved that the following floor amendment no. 1217 by Senator O'Ban be adopted:

On page 3, line 31, after "capacity" insert ", and allow the local jurisdiction to provide any recommendations to the department as to whether or not the department should approve the applicant's request to increase its bed capacity to seven or eight beds"

Senators O'Ban and Cleveland spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1217 by Senator O'Ban on page 3, line 31 to Engrossed Substitute House Bill No. 1023.

The motion by Senator O'Ban carried and floor amendment no. 1217 was adopted by voice vote.

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute House Bill No. 1023 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 Cleveland spoke in favor of passage of the bill.

Senator O'Ban 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. 1023 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1023 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 41; Nays, 6; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Ericksen, Fortunato, Honeyford, O'Ban, Warnick and Zeiger

Excused: Senators Becker and Sheldon

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1023 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. 2794, by House Committee on Human Services & Early Learning (originally sponsored by Frame, Davis, Peterson, Lekanoff, Pollet and Santos)

Concerning juvenile record sealing.

The measure was read the second time.

MOTION

Senator Kuderer moved that the following committee striking amendment by the Committee on Human Services, Reentry & Rehabilitation be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 13.50.260 and 2015 c 265 s 3 are each amended to read as follows:

(1)(a) The court shall hold regular sealing hearings. During these regular sealing hearings, the court shall administratively seal an individual's juvenile record pursuant to the requirements of this subsection (~~unless the court receives an objection to sealing or the court notes a compelling reason not to seal, in which case, the court shall set a contested hearing to be conducted on the record to address sealing~~). Although the juvenile record shall be sealed, the social file may be available to any juvenile justice or care agency when an investigation or case involving the juvenile

subject of the records is being prosecuted by the juvenile justice or care agency or when the juvenile justice or care agency is assigned the responsibility of supervising the juvenile. ~~((The contested hearing shall be set no sooner than eighteen days after notice of the hearing and the opportunity to object has been sent to the juvenile, the victim, and juvenile's attorney.))~~ The juvenile respondent's presence is not required at ~~((a))~~ any administrative sealing hearing ~~((pursuant to this subsection)).~~

(b) At the disposition hearing of a juvenile offender, the court shall schedule an administrative sealing hearing to take place during the first regularly scheduled sealing hearing after the latest of the following events that apply:

- (i) The respondent's eighteenth birthday;
- (ii) Anticipated ~~((completion))~~ end date of a respondent's probation, if ordered;
- (iii) Anticipated release from confinement at the juvenile rehabilitation administration, or the completion of parole, if the respondent is transferred to the juvenile rehabilitation administration.

(c) ~~((A court shall enter a written order sealing an individual's juvenile court record pursuant to this subsection if:~~

~~((i))~~ The court shall not schedule an administrative sealing hearing at the disposition and no administrative sealing hearing shall occur if one of the offenses for which the court has entered a disposition is ~~((not))~~ at the time of commission of the offense:

~~((A))~~ (i) A most serious offense, as defined in RCW 9.94A.030;

~~((B))~~ (ii) A sex offense under chapter 9A.44 RCW; or

~~((C))~~ (iii) A drug offense, as defined in RCW 9.94A.030(~~;~~ and)).

~~((iii))~~ (d) At the time of the scheduled administrative sealing hearing, the court shall enter a written order sealing the respondent's juvenile court record pursuant to this subsection if the court finds by a preponderance of the evidence that the respondent ~~((has completed the terms and conditions of disposition, including affirmative conditions))~~ is no longer on supervision for the case being considered for sealing and has paid 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))~~ public or private entity providing insurance coverage or health care coverage. In determining whether the respondent is on supervision or owes restitution, the court shall take judicial notice of court records, including records of the county clerk, and, if necessary, sworn testimony from a representative of the juvenile department.

~~((d))~~ Following a contested sealing hearing on the record after an objection is made pursuant to (a) of this subsection, the court shall enter a written order sealing the juvenile court record unless the court determines that sealing is not appropriate.)) (c) At the time of the administrative sealing hearing, if the court finds the respondent remains on supervision for the case being considered for sealing, then the court shall continue the administrative sealing hearing to a date within thirty days following the anticipated end date of the respondent's supervision. At the next administrative sealing hearing, the court shall again determine the respondent's eligibility for sealing his or her juvenile court record pursuant to (d) of this subsection, and, if necessary, continue the hearing again as provided in this subsection.

(f)(i) During the administrative sealing hearing, if the court finds the respondent is no longer on supervision for the case being considered for sealing, but the respondent has not paid the full amount of restitution owing to the individual victim named in the restitution order, excluding any public or private entity providing insurance coverage or health care coverage, the court shall deny sealing the juvenile court record in a written order that: (A)

Specifies the amount of restitution that remains unpaid to the original victim, excluding any public or private entity providing insurance coverage or health care coverage; and (B) provides direction to the respondent on how to pursue the sealing of records associated with this cause of action.

(ii) Within five business days of the entry of the written order denying the request to seal a juvenile court record, the juvenile court department staff shall notify the respondent of the denial by providing a copy of the order of denial to the respondent in person or in writing mailed to the respondent's last known address in the department of licensing database or the respondent's address provided to the court, whichever is more recent.

(iii) At any time following entry of the written order denying the request to seal a juvenile court record, the respondent may contact the juvenile court department, provide proof of payment of the remaining unpaid restitution to the original victim, excluding any public or private entity providing insurance coverage or health care coverage, and request an administrative sealing hearing. Upon verification of the satisfaction of the restitution payment, the juvenile court department staff shall circulate for signature an order sealing the file, and file the signed order with the clerk's office, who shall seal the record.

(iv) The administrative office of the courts must ensure that sealed juvenile records remain private in case of an appeal and are either not posted or redacted from any clerks papers that are posted online with the appellate record, as well as taking any other prudent steps necessary to avoid exposing sealed juvenile records to the public.

(2) Except for dismissal of a deferred disposition under RCW 13.40.127, the court shall enter a written order immediately sealing the official juvenile court record upon the acquittal after a fact finding or upon the dismissal of charges with prejudice, subject to the state's right, if any, to appeal the dismissal.

(3) If a juvenile court record has not already been sealed pursuant to this section, in any case in which information has been filed pursuant to RCW 13.40.100 or a complaint has been filed with the prosecutor and referred for diversion pursuant to RCW 13.40.070, the person who is the subject of the information or complaint may file a motion with the court to have the court vacate its order and findings, if any(~~;~~); resolve the status of any debts owing; and, subject to RCW 13.50.050(13), order the sealing of the official juvenile court record, the social file, and records of the court and of any other agency in the case, with the exception of identifying information under RCW 13.50.050(13).

(4)(a) The court shall grant any motion to seal records for case A offenses made pursuant to subsection (3) of this section if:

(i) Since the last date of release from confinement, including full-time residential treatment, if any, or entry of disposition, the person has spent five consecutive years in the community without committing any offense or crime that subsequently results in an adjudication or conviction;

(ii) No proceeding is pending against the moving party seeking the conviction of a juvenile offense or a criminal offense;

(iii) No proceeding is pending seeking the formation of a diversion agreement with that person;

(iv) The person is no longer required to register as a sex offender under RCW 9A.44.130 or has been relieved of the duty to register under RCW 9A.44.143 if the person was convicted of a sex offense;

(v) The person has not been convicted of rape in the first degree, rape in the second degree, or indecent liberties that was actually committed with forcible compulsion; and

(vi) The person has paid the full amount of restitution owing to the individual victim named in the restitution order, excluding restitution owed to any ~~((insurance provider authorized under~~

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

~~Title 48 RCW~~) public or private entity providing insurance coverage or health care coverage.

(b) The court shall grant any motion to seal records for class B, class C, gross misdemeanor, and misdemeanor offenses and diversions made under subsection (3) of this section if:

(i) Since the date of last release from confinement, including full-time residential treatment, if any, entry of disposition, or completion of the diversion agreement, the person has spent two consecutive years in the community without being convicted of any offense or crime;

(ii) No proceeding is pending against the moving party seeking the conviction of a juvenile offense or a criminal offense;

(iii) No proceeding is pending seeking the formation of a diversion agreement with that person;

(iv) The person is no longer required to register as a sex offender under RCW 9A.44.130 or has been relieved of the duty to register under RCW 9A.44.143 if the person was convicted of a sex offense; and

(v) The person has paid 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.

(c) Notwithstanding the requirements in (a) or (b) of this subsection, the court shall grant any motion to seal records of any deferred disposition vacated under RCW 13.40.127(9) prior to June 7, 2012, if restitution has been paid and the person is eighteen years of age or older at the time of the motion.

(5) The person making a motion pursuant to subsection (3) of this section shall give reasonable notice of the motion to the prosecution and to any person or agency whose records are sought to be sealed.

(6)(a) If the court enters a written order sealing the juvenile court record pursuant to this section, it shall, subject to RCW 13.50.050(13), order sealed the official juvenile court record, the social file, and other records relating to the case as are named in the order. Thereafter, the proceedings in the case shall be treated as if they never occurred, and the subject of the records may reply accordingly to any inquiry about the events, records of which are sealed. Any agency shall reply to any inquiry concerning confidential or sealed records that records are confidential, and no information can be given about the existence or nonexistence of records concerning an individual.

(b) In the event the subject of the juvenile records receives a full and unconditional pardon, the proceedings in the matter upon which the pardon has been granted shall be treated as if they never occurred, and the subject of the records may reply accordingly to any inquiry about the events upon which the pardon was received. Any agency shall reply to any inquiry concerning the records pertaining to the events for which the subject received a pardon that records are confidential, and no information can be given about the existence or nonexistence of records concerning an individual.

(c) Effective July 1, 2019, the department of licensing may release information related to records the court has ordered sealed only to the extent necessary to comply with federal law and regulation.

(7) Inspection of the files and records included in the order to seal may thereafter be permitted only by order of the court upon motion made by the person who is the subject of the information or complaint, except as otherwise provided in RCW 13.50.010(8) and 13.50.050(13).

(8)(a) Any adjudication of a juvenile offense or a crime subsequent to sealing has the effect of nullifying a sealing order; however, the court may order the juvenile court record resealed upon disposition of the subsequent matter if the case meets the

sealing criteria under this section and the court record has not previously been resealed.

(b) Any charging of an adult felony subsequent to the sealing has the effect of nullifying the sealing order.

(c) The administrative office of the courts shall ensure that the superior court judicial information system provides prosecutors access to information on the existence of sealed juvenile records.

(d) The Washington state patrol shall ensure that the Washington state identification system provides Washington state criminal justice agencies access to sealed juvenile records information.

(9) If the juvenile court record has been sealed pursuant to this section, the record of an employee is not admissible in an action for liability against the employer based on the former juvenile offender's conduct to show that the employer knew or should have known of the juvenile record of the employee. The record may be admissible, however, if a background check conducted or authorized by the employer contained the information in the sealed record.

(10) County clerks may interact or correspond with the respondent, his or her parents, restitution recipients, and any holders of potential assets or wages of the respondent for the purposes of collecting an outstanding legal financial obligation after juvenile court records have been sealed pursuant to this section.

(11) Persons and agencies that obtain sealed juvenile records information pursuant to this section may communicate about this information with the respondent, but may not disseminate or be compelled to release the information to any person or agency not specifically granted access to sealed juvenile records in this section.

(12) All criminal justice agencies must not disclose confidential information or sealed records accessed through the Washington state identification system or other means, and no information can be given to third parties other than Washington state criminal justice agencies about the existence or nonexistence of confidential or sealed records concerning an individual.

Sec. 2. RCW 10.97.050 and 2012 c 125 s 2 are each amended to read as follows:

(1) Conviction records may be disseminated without restriction.

(2) Any criminal history record information which pertains to an incident that occurred within the last twelve months for which a person is currently being processed by the criminal justice system, including the entire period of correctional supervision extending through final discharge from parole, when applicable, may be disseminated without restriction.

(3) Criminal history record information which includes nonconviction data may be disseminated by a criminal justice agency to another criminal justice agency for any purpose associated with the administration of criminal justice, or in connection with the employment of the subject of the record by a criminal justice or juvenile justice agency, except as provided under RCW 13.50.260. A criminal justice agency may respond to any inquiry from another criminal justice agency without any obligation to ascertain the purpose for which the information is to be used by the agency making the inquiry.

(4) Criminal history record information which includes nonconviction data may be disseminated by a criminal justice agency to implement a statute, ordinance, executive order, or a court rule, decision, or order which expressly refers to records of arrest, charges, or allegations of criminal conduct or other nonconviction data and authorizes or directs that it be available or accessible for a specific purpose.

(5) Criminal history record information which includes nonconviction data may be disseminated to individuals and agencies pursuant to a contract with a criminal justice agency to provide services related to the administration of criminal justice. Such contract must specifically authorize access to criminal history record information, but need not specifically state that access to nonconviction data is included. The agreement must limit the use of the criminal history record information to stated purposes and insure the confidentiality and security of the information consistent with state law and any applicable federal statutes and regulations.

(6) Criminal history record information which includes nonconviction data may be disseminated to individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency. Such agreement must authorize the access to nonconviction data, limit the use of that information which identifies specific individuals to research, evaluative, or statistical purposes, and contain provisions giving notice to the person or organization to which the records are disseminated that the use of information obtained therefrom and further dissemination of such information are subject to the provisions of this chapter and applicable federal statutes and regulations, which shall be cited with express reference to the penalties provided for a violation thereof.

(7) Every criminal justice agency that maintains and disseminates criminal history record information must maintain information pertaining to every dissemination of criminal history record information except a dissemination to the effect that the agency has no record concerning an individual. Information pertaining to disseminations shall include:

- (a) An indication of to whom (agency or person) criminal history record information was disseminated;
- (b) The date on which the information was disseminated;
- (c) The individual to whom the information relates; and
- (d) A brief description of the information disseminated.

The information pertaining to dissemination required to be maintained shall be retained for a period of not less than one year.

(8) In addition to the other provisions in this section allowing dissemination of criminal history record information, RCW 4.24.550 governs dissemination of information concerning offenders who commit sex offenses as defined by RCW 9.94A.030. Criminal justice agencies, their employees, and officials shall be immune from civil liability for dissemination on criminal history record information concerning sex offenders as provided in RCW 4.24.550.

NEW SECTION. Sec. 3. (1) The department of children, youth, and families and the office of the superintendent of public instruction shall develop policies and procedures that prevent any information from being included on a student transcript indicating that a student received credit while confined in a detention facility as defined under RCW 13.40.020, institution as defined under RCW 13.40.020, juvenile correctional facility under alternative administration operated by a consortium of counties under RCW 13.04.035, community facility as defined under RCW 72.05.020, or correctional facility as defined under RCW 70.48.020.

(2) By November 1, 2020, and in compliance with RCW 43.01.036, the department of children, youth, and families and the office of the superintendent of public instruction shall provide a report to the appropriate committees of the legislature and the governor describing the actions, policies, and procedures in place to prevent information from being included on a student transcript indicating that a student received credit while confined in a detention facility as defined under RCW 13.40.020, institution as defined under RCW 13.40.020, juvenile correctional facility under alternative administration operated by a consortium of

counties under RCW 13.04.035, community facility as defined under RCW 72.05.020, or correctional facility as defined under RCW 70.48.020.

(3) This section expires June 30, 2021.

NEW SECTION. Sec. 4. This act applies to all juvenile record sealing hearings commenced on or after the effective date of this section, regardless of when the underlying hearing was scheduled or the underlying record was created. To this extent, this act applies retroactively, but in all other respects it applies prospectively."

On page 1, line 1 of the title, after "sealing;" strike the remainder of the title and insert "amending RCW 13.50.260 and 10.97.050; creating new sections; and providing an expiration date."

MOTION

Senator Kuderer moved that the following floor amendment no. 1223 by Senator Kuderer be adopted:

On page 9, after line 28, insert the following:

"NEW SECTION. Sec. 5. Sections 1, 2, and 4 of this act take effect January 1, 2021."

On page 9, line 31, after "sections;" insert "providing an effective date;"

Senator Kuderer 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 floor amendment no. 1223 by Senator Kuderer on page 9, after line 28 to the committee striking amendment.

The motion by Senator Kuderer carried and floor amendment no. 1223 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, Reentry & Rehabilitation as amended to Substitute House Bill No. 2794.

The motion by Senator Kuderer carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Substitute House Bill No. 2794 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 Kuderer, O'Ban and Darneille spoke in favor of passage of the bill.

Senators Padden and Ericksen spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2794 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2794 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 36; Nays, 11; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña,

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

Salomon, Stanford, Takko, Van De Wege, Wagoner, Walsh, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Braun, Brown, Ericksen, Fortunato, Hawkins, Honeyford, Padden, Schoesler, Short, Warnick and Wilson, L.

Excused: Senators Becker and Sheldon

SUBSTITUTE HOUSE BILL NO. 2794 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. 2017, by House Committee on Appropriations (originally sponsored by Frame, Dolan, Fitzgibbon, Stanford, Kilduff, Macri, Ryu, Valdez, Tarleton and Pollet)

Concerning collective bargaining for administrative law judges.

The measure was read the second time.

MOTION

Senator Short moved that the following floor amendment no. 1281 by Senator Short be adopted:

On page 2, after line 29, insert the following:

"(5) Notwithstanding RCW 41.80.100:

(a) The employer must only deduct exclusive bargaining representative dues from the wages of an administrative law judge of the office of administrative hearings and transmit the same to the exclusive bargaining representative upon receipt of an authorization from the administrative law judge that:

(i) Is made in writing;

(ii) Is dated and signed with the administrative law judge's legally valid signature;

(iii) Clearly and specifically acknowledges and waives the administrative law judge's constitutional right to not pay any union dues or fees; and

(iv) Is given freely and affirmatively and not obtained through coercive or deceptive means.

(b) When an administrative law judge of the office of administrative hearings provides the employer with a written request to cease deducting exclusive bargaining representative dues, the employer must cease the deductions within thirty days.

(c) The employer must maintain all copies of dues deductions authorizations and cancellations provided by an administrative law judge of the office of administrative hearings for at least three years after the judge has ceased to be employed in the bargaining unit."

Senator Short spoke in favor of adoption of the amendment.

Senator Keiser spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1281 by Senator Short on page 2, after line 29 to Substitute House Bill No. 2017.

The motion by Senator Short did not carry and floor amendment no. 1281 was not adopted by voice vote.

MOTION

Senator Short moved that the following floor amendment no. 1282 by Senator Short be adopted:

On page 2, after line 29, insert the following:

"(5) The employer must make bargaining proposals made in the course of collective bargaining with the exclusive bargaining representative of administrative law judges of the office of administrative hearings available to the public by:

(a) Posting bargaining proposals online within two business days of their transmission to or receipt from the exclusive bargaining representative; or

(b) Fulfilling requests for exchanged bargaining proposals within two business days."

Senator Short spoke in favor of adoption of the amendment.

Senator Keiser spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1282 by Senator Short on page 2, after line 29 to Substitute House Bill No. 2017.

The motion by Senator Short did not carry and floor amendment no. 1282 was not adopted by rising vote.

MOTION

Senator King moved that the following floor amendment no. 1286 by Senator King be adopted:

On page 2, after line 29, insert the following:

"(5) Notwithstanding RCW 41.80.135, no employee organization may be certified as the exclusive bargaining representative of the statewide bargaining unit of administrative law judges of the office of administrative hearings unless it receives the votes of a majority of administrative law judges of the office of administrative hearings in a secret ballot election administered by the commission pursuant to RCW 41.80.080."

Senators King and Braun spoke in favor of adoption of the amendment.

Senator Keiser spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1286 by Senator King on page 2, after line 29 to Substitute House Bill No. 2017.

The motion by Senator King did not carry and floor amendment no. 1286 was not adopted by voice vote.

MOTION

On motion of Senator Lovelett, 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 Lovelett 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. 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, 29; Nays, 18; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen,

Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Brown, Ericksen, Fortunato, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Becker and Sheldon

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

HOUSE BILL NO. 2691, by Representatives Valdez, Ryu, Frame, Doglio, Dolan, Slatter, Lovick, Ortiz-Self, Fitzgibbon, Davis, Pollet and Macri

Concerning the scope of collective bargaining for language access providers.

The measure was read the second time.

MOTION

Senator Saldaña moved that the following committee striking amendment by the Committee on Labor & Commerce be adopted.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 41.56.030 and 2019 c 280 s 1 are each amended to read as follows:

As used in this chapter:

(1) "Adult family home provider" means a provider as defined in RCW 70.128.010 who receives payments from the medicaid and state-funded long-term care programs.

(2) "Bargaining representative" means any lawful organization which has as one of its primary purposes the representation of employees in their employment relations with employers.

(3) "Child care subsidy" means a payment from the state through a child care subsidy program established pursuant to RCW 74.12.340, 45 C.F.R. Sec. 98.1 through 98.17, or any successor program.

(4) "Collective bargaining" means the performance of the mutual obligations of the public employer and the exclusive bargaining representative to meet at reasonable times, to confer and negotiate in good faith, and to execute a written agreement with respect to grievance procedures and collective negotiations on personnel matters, including wages, hours and working conditions, which may be peculiar to an appropriate bargaining unit of such public employer, except that by such obligation neither party shall be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this chapter.

(5) "Commission" means the public employment relations commission.

(6) "Executive director" means the executive director of the commission.

(7) "Family child care provider" means a person who: (a) Provides regularly scheduled care for a child or children in the home of the provider or in the home of the child or children for periods of less than twenty-four hours or, if necessary due to the nature of the parent's work, for periods equal to or greater than twenty-four hours; (b) receives child care subsidies; and (c) under

chapter 43.216 RCW, is either licensed by the state or is exempt from licensing.

(8) "Individual provider" means an individual provider as defined in RCW 74.39A.240(3) who, solely for the purposes of collective bargaining, is a public employee as provided in RCW 74.39A.270.

(9) "Institution of higher education" means the University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, and the various state community colleges.

(10)(a) "Language access provider" means any independent contractor who provides spoken language interpreter services, whether paid by a broker, language access agency, or the respective department:

(i) For department of social and health services appointments, department of children, youth, and families appointments, medicaid enrollee appointments, or who provided these services on or after January 1, 2011, and before June 10, 2012;

(ii) For department of labor and industries authorized medical and vocational providers ~~((-or))~~ who provided these services on or after January 1, ~~((2016, and before July 1, 2018))~~ 2019; or

(iii) For state agencies ~~((-or))~~ who provided these services on or after January 1, ~~((2016, and before July 1, 2018))~~ 2019.

(b) "Language access provider" does not mean a manager or employee of a broker or a language access agency.

(11) "Public employee" means any employee of a public employer except any person (a) elected by popular vote, or (b) appointed to office pursuant to statute, ordinance or resolution for a specified term of office as a member of a multimember board, commission, or committee, whether appointed by the executive head or body of the public employer, or (c) whose duties as deputy, administrative assistant or secretary necessarily imply a confidential relationship to (i) the executive head or body of the applicable bargaining unit, or (ii) any person elected by popular vote, or (iii) any person appointed to office pursuant to statute, ordinance or resolution for a specified term of office as a member of a multimember board, commission, or committee, whether appointed by the executive head or body of the public employer, or (d) who is a court commissioner or a court magistrate of superior court, district court, or a department of a district court organized under chapter 3.46 RCW, or (e) who is a personal assistant to a district court judge, superior court judge, or court commissioner. For the purpose of (e) of this subsection, no more than one assistant for each judge or commissioner may be excluded from a bargaining unit.

(12) "Public employer" means any officer, board, commission, council, or other person or body acting on behalf of any public body governed by this chapter, or any subdivision of such public body. For the purposes of this section, the public employer of district court or superior court employees for wage-related matters is the respective county legislative authority, or person or body acting on behalf of the legislative authority, and the public employer for nonwage-related matters is the judge or judge's designee of the respective district court or superior court.

(13) "Uniformed personnel" means: (a) Law enforcement officers as defined in RCW 41.26.030 employed by the governing body of any city or town with a population of two thousand five hundred or more and law enforcement officers employed by the governing body of any county with a population of ten thousand or more; (b) correctional employees who are uniformed and nonuniformed, commissioned and noncommissioned security personnel employed in a jail as defined in RCW 70.48.020(9), by a county with a population of seventy thousand or more, in a correctional facility created under RCW 70.48.095, or in a detention facility created under chapter 13.40 RCW that is located

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

in a county with a population over one million five hundred thousand, and who are trained for and charged with the responsibility of controlling and maintaining custody of inmates in the jail and safeguarding inmates from other inmates; (c) general authority Washington peace officers as defined in RCW 10.93.020 employed by a port district in a county with a population of one million or more; (d) security forces established under RCW 43.52.520; (e) firefighters as that term is defined in RCW 41.26.030; (f) employees of a port district in a county with a population of one million or more whose duties include crash fire rescue or other firefighting duties; (g) employees of fire departments of public employers who dispatch exclusively either fire or emergency medical services, or both; (h) employees in the several classes of advanced life support technicians, as defined in RCW 18.71.200, who are employed by a public employer; or (i) court marshals of any county who are employed by, trained for, and commissioned by the county sheriff and charged with the responsibility of enforcing laws, protecting and maintaining security in all county-owned or contracted property, and performing any other duties assigned to them by the county sheriff or mandated by judicial order.

Sec. 2. RCW 41.56.510 and 2018 c 253 s 8 are each amended to read as follows:

(1) In addition to the entities listed in RCW 41.56.020, this chapter applies to the governor with respect to language access providers. Solely for the purposes of collective bargaining and as expressly limited under subsections (2) and (3) of this section, the governor is the public employer of language access providers who, solely for the purposes of collective bargaining, are public employees. The governor or the governor's designee shall represent the public employer for bargaining purposes.

(2) There shall be collective bargaining, as defined in RCW 41.56.030, between the governor and language access providers, except as follows:

(a) The only units appropriate for purposes of collective bargaining under RCW 41.56.060 are:

(i) A statewide unit for language access providers who provide spoken language interpreter services for department of social and health services appointments, department of children, youth, and families appointments, or medicare enrollee appointments;

(ii) A statewide unit for language access providers who provide spoken language interpreter services for injured workers or crime victims receiving benefits from the department of labor and industries; and

(iii) A statewide unit for language access providers who provide spoken language interpreter services for any state agency through the department of enterprise services, excluding language access providers included in (a)(i) and (ii) of this subsection;

(b) The exclusive bargaining representative of language access providers in the unit specified in (a) of this subsection shall be the representative chosen in an election conducted pursuant to RCW 41.56.070.

Bargaining authorization cards furnished as the showing of interest in support of any representation petition or motion for intervention filed under this section are exempt from disclosure under chapter 42.56 RCW;

(c) Notwithstanding the definition of "collective bargaining" in RCW 41.56.030(4), the scope of collective bargaining for language access providers under this section is limited solely to: (i) Economic compensation, such as the manner and rate of payments including tiered payments; (ii) professional development and training; (iii) labor-management committees; ~~((and))~~ (iv) grievance procedures; (v) health and welfare benefits; and (vii) other economic matters. Retirement benefits are not subject to collective bargaining. By such obligation neither party

may be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this chapter;

(d) In addition to the entities listed in the mediation and interest arbitration provisions of RCW 41.56.430 through 41.56.470 and 41.56.480, the provisions apply to the governor or the governor's designee and the exclusive bargaining representative of language access providers, except that:

(i) In addition to the factors to be taken into consideration by an interest arbitration panel under RCW 41.56.465, the panel shall consider the financial ability of the state to pay for the compensation and benefit provisions of a collective bargaining agreement;

(ii) The decision of the arbitration panel is not binding on the legislature and, if the legislature does not approve the request for funds necessary to implement the compensation and benefit provisions of the arbitrated collective bargaining agreement, the decision is not binding on the state;

(e) Language access providers do not have the right to strike;

(f) If a single employee organization is the exclusive bargaining representative for two or more units, upon petition by the employee organization, the units may be consolidated into a single larger unit if the commission considers the larger unit to be appropriate. If consolidation is appropriate, the commission shall certify the employee organization as the exclusive bargaining representative of the new unit;

(g) If a single employee organization is the exclusive bargaining representative for two or more bargaining units, the governor and the employee organization may agree to negotiate a single collective bargaining agreement for all of the bargaining units that the employee organization represents.

(3) Language access providers who are public employees solely for the purposes of collective bargaining under subsection (1) of this section are not, for that reason, employees of the state for any other purpose. This section applies only to the governance of the collective bargaining relationship between the employer and language access providers as provided in subsections (1) and (2) of this section.

(4) Each party with whom the department of social and health services, the department of children, youth, and families, the department of labor and industries, and the department of enterprise services contracts for language access services and each of their subcontractors shall provide to the respective department an accurate list of language access providers, as defined in RCW 41.56.030, including their names, addresses, and other contact information, annually by January 30th, except that initially the lists must be provided within thirty days of July 1, 2018. The department shall, upon request, provide a list of all language access providers, including their names, addresses, and other contact information, to a labor union seeking to represent language access providers.

(5) This section does not create or modify:

(a) The obligation of any state agency to comply with federal statute and regulations; and

(b) The legislature's right to make programmatic modifications to the delivery of state services under chapter 74.04 or 39.26 RCW or Title 51 RCW. The governor may not enter into, extend, or renew any agreement under this chapter that does not expressly reserve the legislative rights described in this subsection.

(6) Upon meeting the requirements of subsection (7) of this section, the governor must submit, as a part of the proposed biennial or supplemental operating budget submitted to the legislature under RCW 43.88.030, a request for funds necessary to implement the compensation and benefit provisions of a collective bargaining agreement entered into under this section or for legislation necessary to implement the agreement.

(7) A request for funds necessary to implement the compensation and benefit provisions of a collective bargaining agreement entered into under this section may not be submitted by the governor to the legislature unless the request has been:

(a) Submitted to the director of financial management by October 1st prior to the legislative session at which the requests are to be considered, except that, for initial negotiations under this section, the request may not be submitted before July 1, 2011; and

(b) Certified by the director of financial management as financially feasible for the state or reflective of a binding decision of an arbitration panel reached under subsection (2)(d) of this section.

(8) The legislature must approve or reject the submission of the request for funds as a whole. If the legislature rejects or fails to act on the submission, any collective bargaining agreement must be reopened for the sole purpose of renegotiating the funds necessary to implement the agreement.

(9) If, after the compensation and benefit provisions of an agreement are approved by the legislature, a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by resolution of the legislature, both parties shall immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

(10) After the expiration date of any collective bargaining agreement entered into under this section, all of the terms and conditions specified in the agreement remain in effect until the effective date of a subsequent agreement, not to exceed one year from the expiration date stated in the agreement.

(11) In enacting this section, the legislature intends to provide state action immunity under federal and state antitrust laws for the joint activities of language access providers and their exclusive bargaining representative to the extent the activities are authorized by this chapter."

On page 1, line 2 of the title, after "providers;" strike the remainder of the title and insert "and amending RCW 41.56.030 and 41.56.510."

MOTION

Senator King moved that the following floor amendment no. 1287 by Senator King be adopted:

On page 5, beginning on line 9, after "procedures;" strike all material through "matters" on line 10 and insert "and (v) health and welfare benefits"

Senator King spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Saldaña spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1287 by Senator King on page 5, line 9 to House Bill No. 2691.

The motion by Senator King did not carry and floor amendment no. 1287 was not adopted by voice vote.

MOTION

Senator King moved that the following floor amendment no. 1288 by Senator King be adopted:

On page 7, after line 29, insert the following:
"(12) By December 1, 2020, the department of social and health services, the department of children, youth, and families, the department of labor industries, the health care authority, and the

department of enterprise services must report to the legislature on the following:

(a) Each agency's current process for procuring spoken language interpreters and whether the changes in Chapter 253, Laws of 2018 have been implemented;

(b) If Chapter 253, Laws of 2018 has not been fully implemented by an agency, the barriers to implementation the agency has encountered and recommendations for removing the barriers to implementation;

(c) The impacts of the changes to the bargaining units for language access providers in Chapter 253, Laws of 2018; and

(d) Recommendations on how to improve the procurement and accessibility of language access providers."

Senators King and Saldaña 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 floor amendment no. 1288 by Senator King on page 7, after line 29 to House Bill No. 2691.

The motion by Senator King carried and floor amendment no. 1288 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 Labor & Commerce as amended to House Bill No. 2691.

The motion by Senator Saldaña carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Saldaña, the rules were suspended, House Bill No. 2691 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 Saldaña and King spoke in favor of passage of the bill. Senators Walsh and Honeyford spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2691 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2691 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 32; Nays, 15; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, Muzzall, Padden, Schoesler, Short, Wagoner, Walsh, Warnick and Wilson, L.

Excused: Senators Becker and Sheldon

HOUSE BILL NO. 2691 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. 2449, by Representatives Griffey and Gregerson

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

Concerning water-sewer district commissioner compensation.

The measure was read the second time.

MOTION

Senator Takko moved that the following committee striking amendment by the Committee on Local Government be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 35.61.150 and 2019 c 198 s 1 are each amended to read as follows:

(1) Metropolitan park commissioners selected by election according to RCW 35.61.050(2) shall perform their duties and may provide, by resolution passed by the commissioners, for the payment of compensation to each of its commissioners at a rate up to the daily compensation maximum amount provided in subsection (3) of this section for each day or portion of a day spent in actual attendance at official meetings or in performance of other official services or duties on behalf of the district. However, the compensation for each commissioner must not exceed the annual compensation maximum amount provided in subsection (3) of this section per year.

(2) Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the clerk of the board. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

(3)(a) For purposes of the references in subsection (1) of this section, the daily compensation maximum amount is one hundred twenty-eight dollars and the annual compensation maximum amount is twelve thousand two hundred eighty-eight dollars. However, for any metropolitan park district with facilities including an aquarium, a wildlife park, and a zoo, accredited by a nationally recognized accrediting agency, the annual compensation maximum amount is twenty-four thousand five hundred seventy-six dollars.

(b) The dollar thresholds established in this subsection (3) must be adjusted for inflation by the office of financial management every five years, beginning (~~July 1, 2023~~) January 1, 2024, 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, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and 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 adjustments for inflation in this section. 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.

(4) A person holding office as commissioner for two or more special purpose districts shall receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may

receive additional per diem compensation if approved by resolution of all boards of the affected commissions.

Sec. 2. RCW 36.57A.050 and 2018 c 154 s 1 are each amended to read as follows:

Within sixty days of the establishment of the boundaries of the public transportation benefit area the members of the county legislative authority and the elected representative of each city within the area shall provide for the selection of the governing body of such area, the public transportation benefit area authority, which shall consist of elected officials selected by and serving at the pleasure of the governing bodies of component cities within the area and the county legislative authority of each county within the area. The members of the governing body of the public transportation benefit area, if the population of the county in which the public transportation benefit area is located is more than four hundred thousand and the county does not also contain a city with a population of seventy-five thousand or more operating a transit system pursuant to chapter 35.95 RCW, must be selected to assure proportional representation, based on population, of each of the component cities located within the public transportation benefit area and the unincorporated areas of the county located within the public transportation benefit area, to the extent possible within the restrictions placed on the size of the governing body of a public transportation benefit area. If necessary to assure such proportional representation, multiple cities may be represented by a single elected official from one of the cities. A majority of the governing board may not be selected to represent a single component city. If at the time a public transportation benefit area authority assumes the public transportation functions previously provided under the interlocal cooperation act (chapter 39.34 RCW) there are citizen positions on the governing board of the transit system, those positions may be retained as positions on the governing board of the public transportation benefit area authority.

Within such sixty-day period, any city may by resolution of its legislative body withdraw from participation in the public transportation benefit area. The county legislative authority and each city remaining in the public transportation benefit area may disapprove and prevent the establishment of any governing body of a public transportation benefit area if the composition thereof does not meet its approval.

In no case shall the governing body of a single county public transportation benefit area be greater than nine voting members and in the case of a multicounty area, fifteen voting members. Those cities within the public transportation benefit area and excluded from direct membership on the authority are hereby authorized to designate a member of the authority who shall be entitled to represent the interests of such city which is excluded from direct membership on the authority. The legislative body of such city shall notify the authority as to the determination of its authorized representative on the authority.

There is one nonvoting member of the public transportation benefit area authority. The nonvoting member is recommended by the labor organization representing the public transportation employees within the local public transportation system. If the public transportation employees are represented by more than one labor organization, all such labor organizations shall select the nonvoting member by majority vote. The nonvoting member shall comply with all governing bylaws and policies of the authority. The chair or cochair of the authority shall exclude the nonvoting member from attending any executive session held for the purpose of discussing negotiations with labor organizations. The chair or cochair may exclude the nonvoting member from attending any other executive session. The requirement that a nonvoting member be appointed to the governing body of a public

transportation benefit area authority does not apply to an authority that has no employees represented by a labor union.

Each member of the authority is eligible to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060 and to receive compensation, as set by the authority, in an amount not to exceed forty-four dollars for each day during which the member attends official meetings of the authority or performs prescribed duties approved by the chair of the authority. Except that the authority may, by resolution, increase the payment of per diem compensation to each member from forty-four dollars up to ninety dollars per day or portion of a day for actual attendance at board meetings or for performance of other official services or duties on behalf of the authority. In no event may a member be compensated in any year for more than seventy-five days, except the chair who may be paid compensation for not more than one hundred days: PROVIDED, That compensation shall not be paid to an elected official or employee of federal, state, or local government who is receiving regular full-time compensation from such government for attending meetings and performing prescribed duties of the authority.

The dollar thresholds established in this section must be adjusted for inflation by the office of financial management every five years, beginning ~~((July 1, 2008))~~ January 1, 2024, 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, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and 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 adjustments for inflation in this section. 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.

A person holding office as commissioner for two or more special purpose districts shall receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may receive additional per diem compensation if approved by resolution of all boards of the affected commissions.

Sec. 3. RCW 53.12.260 and 2011 c 152 s 1 are each amended to read as follows:

(1) Each commissioner of a port district shall receive ninety dollars, as adjusted for inflation by the office of financial management in subsection (4) of this section, per day or portion thereof spent (a) in actual attendance at official meetings of the port district commission, or (b) in performance of other official services or duties on behalf of the district. The total per diem compensation of a port commissioner shall not exceed eight thousand six hundred forty dollars in a year, as adjusted for inflation by the office of financial management in subsection (4) of this section, or ten thousand eight hundred dollars in any year, as adjusted for inflation by the office of financial management in subsection (4) of this section, for a port district with gross operating income of twenty-five million or more in the preceding calendar year.

(2) Port commissioners shall receive additional compensation as follows: (a) Each commissioner of a port district with gross operating revenues of twenty-five million dollars or more in the preceding calendar year shall receive a salary of five hundred dollars per month, as adjusted for inflation by the office of

financial management in subsection (4) of this section; and (b) each commissioner of a port district with gross operating revenues of from one million dollars to less than twenty-five million dollars in the preceding calendar year shall receive a salary of two hundred dollars per month, as adjusted for inflation by the office of financial management in subsection (4) of this section.

(3) In lieu of the compensation specified in this section, a port commission may set compensation to be paid to commissioners.

(4) For any commissioner who has not elected to become a member of public employees retirement system before May 1, 1975, the compensation provided pursuant to this section shall not be considered salary for purposes of the provisions of any retirement system created pursuant to the general laws of this state nor shall attendance at such meetings or other service on behalf of the district constitute service as defined in RCW 41.40.010(37): PROVIDED, That in the case of a port district when commissioners are receiving compensation and contributing to the public employees retirement system, these benefits shall continue in full force and effect notwithstanding the provisions of ~~((RCW 53.12.260))~~ this section and RCW 53.12.265.

The dollar thresholds for salaries and per diem compensation established in this section must be adjusted for inflation by the office of financial management every five years, beginning ~~((July 1, 2008))~~ January 1, 2024, 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, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and 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 adjustments for inflation in this section. 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.

A person holding office as commissioner for two or more special purpose districts shall receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may receive additional per diem compensation if approved by resolution of all boards of the affected commissions.

Sec. 4. RCW 54.12.080 and 2010 c 58 s 1 are each amended to read as follows:

(1) Commissioners of public utility districts shall receive salaries as follows:

(a) Each public utility district commissioner of a district operating utility properties shall receive a salary of one thousand eight hundred dollars per month, as adjusted for inflation by the office of financial management in subsection (6) of this section, during a calendar year if the district received total gross revenue of over fifteen million dollars during the fiscal year ending June 30th before the calendar year.

(b) Each public utility district commissioner of a district operating utility properties shall receive a salary of one thousand three hundred dollars per month, as adjusted for inflation by the office of financial management in subsection (6) of this section, during a calendar year if the district received total gross revenue of from two million dollars to fifteen million dollars during the fiscal year ending June 30th before the calendar year.

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

(c) Commissioners of other districts shall receive a salary of six hundred dollars per month, as adjusted for inflation by the office of financial management in subsection (6) of this section, for each commissioner.

(2) In addition to salary, all districts shall provide for the payment of per diem compensation to each commissioner at a rate of ninety dollars, as adjusted for inflation by the office of financial management in subsection (6) of this section, for each day or portion thereof spent in actual attendance at official meetings of the district commission or in performance of other official services or duties on behalf of the district, to include meetings of the commission of his or her district or meetings attended by one or more commissioners of two or more districts called to consider business common to them, but such compensation paid during any one year to a commissioner shall not exceed twelve thousand six hundred dollars, as adjusted for inflation by the office of financial management in subsection (6) of this section. Per diem compensation shall not be paid for services of a ministerial or professional nature.

(3) Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the district as provided in this section. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

(4) Each district commissioner shall be reimbursed for reasonable expenses actually incurred in connection with such business and meetings, including his or her subsistence and lodging and travel while away from his or her place of residence.

(5) Any district providing group insurance for its employees, covering them, their immediate family, and dependents, may provide insurance for its commissioner with the same coverage.

(6) The dollar thresholds for salaries and per diem compensation established in this section must be adjusted for inflation by the office of financial management every five years, beginning (~~July 1, 2008~~) January 1, 2024, 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, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and 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 adjustments for inflation in this section. 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.

(7) A person holding office as commissioner for two or more special purpose districts shall receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may receive additional per diem compensation if approved by resolution of all boards of the affected commissions.

Sec. 5. RCW 57.12.010 and 2008 c 31 s 1 are each amended to read as follows:

The governing body of a district shall be a board of commissioners consisting of three members, or five or seven members as provided in RCW 57.12.015. The board shall

annually elect one of its members as president and another as secretary.

The board shall by resolution adopt rules governing the transaction of its business and shall adopt an official seal. All proceedings shall be by resolution recorded in a book kept for that purpose which shall be a public record.

Each commissioner shall receive ninety dollars for each day or portion thereof spent in actual attendance at official meetings of the district commission, or in performance of other official services or duties on behalf of the district. However, the compensation for each commissioner shall not exceed eight thousand six hundred forty dollars per year. In addition, the secretary may be paid a reasonable sum for clerical services.

Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during the commissioner's term of office, by a written waiver filed with the district at any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

No commissioner shall be employed full time by the district. A commissioner shall be reimbursed for reasonable expenses actually incurred in connection with district business, including subsistence and lodging while away from the commissioner's place of residence and mileage for use of a privately owned vehicle at the mileage rate authorized in RCW 43.03.060.

The dollar thresholds established in this section must be adjusted for inflation by the office of financial management every five years, beginning (~~July 1, 2008~~) January 1, 2024, 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, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and 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 adjustments for inflation in this section. 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.

A person holding office as commissioner for two or more special purpose districts shall receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may receive additional per diem compensation if approved by resolution of all boards of the affected commissions.

Sec. 6. RCW 68.52.220 and 2013 c 167 s 9 are each amended to read as follows:

(1) The affairs of the cemetery district must be managed by a board of cemetery district commissioners composed of three members. The board may provide, by resolution passed by the commissioners, for the payment of compensation to each of its commissioners at a rate of up to ninety dollars for each day or portion of a day spent in actual attendance at official meetings of the district commission, or in performance of other official services or duties on behalf of the district. However, the compensation for each commissioner must not exceed eight thousand six hundred forty dollars per year.

(2) Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or

months during his or her term of office, by a written waiver filed with the clerk of the board. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver must specify the month or period of months for which it is made. The board must fix the compensation to be paid the secretary and other employees of the district. Cemetery district commissioners and candidates for cemetery district commissioner are exempt from the requirements of chapter 42.17A RCW.

(3) The initial cemetery district commissioners must assume office immediately upon their election and qualification. Staggering of terms of office must be accomplished as follows: (a) The person elected receiving the greatest number of votes is elected to a six-year term of office if the election is held in an odd-numbered year or a five-year term of office if the election is held in an even-numbered year; (b) the person who is elected receiving the next greatest number of votes is elected to a four-year term of office if the election is held in an odd-numbered year or a three-year term of office if the election is held in an even-numbered year; and (c) the other person who is elected is elected to a two-year term of office if the election is held in an odd-numbered year or a one-year term of office if the election is held in an even-numbered year. The initial commissioners must assume office immediately after they are elected and qualified but their terms of office must be calculated from the first day of January after the election.

(4) Thereafter, commissioners are elected to six-year terms of office. Commissioners must serve until their successors are elected and qualified and assume office as provided in RCW ((29A.20.040)) 29A.60.280.

(5) The dollar thresholds established in this section must be adjusted for inflation by the office of financial management every five years, beginning ((July 1, 2008)) January 1, 2024, 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, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and 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 must be used for the adjustments for inflation in this section. 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.

(6) A person holding office as commissioner for two or more special purpose districts may receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may receive additional per diem compensation if approved by resolution of all boards of the affected commissions.

Sec. 7. RCW 70.44.050 and 2008 c 31 s 2 are each amended to read as follows:

Each commissioner shall receive ninety dollars for each day or portion thereof spent in actual attendance at official meetings of the district commission, or in performance of other official services or duties on behalf of the district, to include meetings of the commission of his or her own district, or meetings attended by one or more commissioners of two or more districts called to consider business common to them, except that the total compensation paid to such commissioner during any one year

shall not exceed eight thousand six hundred forty dollars. The commissioners may not be compensated for services performed of a ministerial or professional nature.

Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the district as provided in this section. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

Any district providing group insurance for its employees, covering them, their immediate family, and dependents, may provide insurance for its commissioners with the same coverage. Each commissioner shall be reimbursed for reasonable expenses actually incurred in connection with such business and meetings, including his or her subsistence and lodging and travel while away from his or her place of residence. No resolution shall be adopted without a majority vote of the whole commission. The commission shall organize by election of its own members of a president and secretary, shall by resolution adopt rules governing the transaction of its business and shall adopt an official seal. All proceedings of the commission shall be by motion or resolution recorded in a book or books kept for such purpose, which shall be public records.

The dollar thresholds established in this section must be adjusted for inflation by the office of financial management every five years, beginning ((July 1, 2008)) January 1, 2024, 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, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and 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 adjustments for inflation in this section. 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.

A person holding office as commissioner for two or more special purpose districts shall receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may receive additional per diem compensation if approved by resolution of all boards of the affected commissions.

Sec. 8. RCW 85.05.410 and 2007 c 469 s 8 are each amended to read as follows:

Members of the board of diking commissioners of any diking district in this state may receive as compensation the sum of up to ninety dollars for actual attendance at official meetings of the district and for each day or part thereof, or in performance of other official services or duties on behalf of the district and shall receive the same compensation as other labor of a like character for all other necessary work or services performed in connection with their duties: PROVIDED, That such compensation shall not exceed eight thousand six hundred forty dollars in one calendar year, except when the commissioners declare an emergency. Allowance of such compensation shall be established and approved at regular meetings of the board, and when a copy of the extracts of minutes of the board meeting relative thereto showing such approval is certified by the secretary of such board and filed

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

with the county auditor, the allowance made shall be paid as are other claims against the district.

Each commissioner is entitled to reimbursement for reasonable expenses actually incurred in connection with such business, including subsistence and lodging, while away from the commissioner's place of residence, and mileage for use of a privately owned vehicle in accordance with chapter 42.24 RCW.

Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the secretary as provided in this section. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

The dollar thresholds established in this section must be adjusted for inflation by the office of financial management every five years, beginning ((July 1, 2008)) January 1, 2024, 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, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and 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 adjustments for inflation in this section. 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.

A person holding office as commissioner for two or more special purpose districts shall receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may receive additional per diem compensation if approved by resolution of all boards of the affected commissions.

Sec. 9. RCW 85.06.380 and 2007 c 469 s 9 are each amended to read as follows:

In performing their duties under the provisions of this title the board and members of the board of drainage commissioners may receive as compensation up to ninety dollars per day or portion thereof spent in actual attendance at official meetings of the district, or in performance of other official services or duties on behalf of the district: PROVIDED, That such compensation shall not exceed eight thousand six hundred forty dollars in one calendar year: PROVIDED FURTHER, That such services and compensation are allowed and approved at a regular meeting of the board. Upon the submission of a copy, certified by the secretary, of the extracts of the relevant minutes of the board showing such approval, to the county auditor, the same shall be paid as other claims against the district are paid. Each commissioner is entitled to reimbursement for reasonable expenses actually incurred in connection with such business, including subsistence and lodging, while away from the commissioner's place of residence and mileage for use of a privately-owned vehicle in accordance with chapter 42.24 RCW.

Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the secretary as provided in this section. The waiver, to be effective, must be filed any time after the commissioner's election

and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

The dollar thresholds established in this section must be adjusted for inflation by the office of financial management every five years, beginning ((July 1, 2008)) January 1, 2024, 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, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and 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 adjustments for inflation in this section. 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.

A person holding office as commissioner for two or more special purpose districts shall receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may receive additional per diem compensation if approved by resolution of all boards of the affected commissions.

Sec. 10. RCW 85.08.320 and 2007 c 469 s 10 are each amended to read as follows:

The compensation of the superintendent of construction, the board of appraisers hereinafter provided for, and any special engineer, attorney or agent employed by the district in connection with the improvement, the maximum wages to be paid, and the maximum price of materials to be used, shall be fixed by the district board of supervisors. Members of the board of supervisors may receive compensation up to ninety dollars per day or portion thereof spent in actual attendance at official meetings of the district, or in performance of other official services or duties on behalf of the district: PROVIDED, That such compensation shall not exceed eight thousand six hundred forty dollars in one calendar year. Each supervisor shall be entitled to reimbursement for reasonable expenses actually incurred in connection with business, including subsistence and lodging while away from the supervisor's place of residence and mileage for use of a privately owned vehicle in accordance with chapter 42.24 RCW. All costs of construction or maintenance done under the direction of the board of supervisors shall be paid upon vouchers or payrolls verified by two of the said supervisors. All costs of construction and all other expenses, fees and charges on account of such improvement shall be paid by warrants drawn by the county auditor upon the county treasurer upon the proper fund, and shall draw interest at a rate determined by the county legislative authority until paid or called by the county treasurer as warrants of the county are called.

Any supervisor may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the secretary as provided in this section. The waiver, to be effective, must be filed any time after the supervisor's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

The dollar thresholds established in this section must be adjusted for inflation by the office of financial management every

five years, beginning (~~July 1, 2008~~) January 1, 2024, 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, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and 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 adjustments for inflation in this section. 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.

A person holding office as commissioner for two or more special purpose districts shall receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may receive additional per diem compensation if approved by resolution of all boards of the affected commissions.

Sec. 11. RCW 85.24.080 and 2007 c 469 s 11 are each amended to read as follows:

The members of the board may receive as compensation up to ninety dollars per day or portion thereof spent in actual attendance at official meetings of the district, or in performance of other official services or duties on behalf of the district: PROVIDED, That such compensation shall not exceed eight thousand six hundred forty dollars in one calendar year: PROVIDED FURTHER, That the board may fix a different salary for the secretary thereof in lieu of the per diem. Each commissioner is entitled to reimbursement for reasonable expenses actually incurred in connection with such business, including subsistence and lodging, while away from the commissioner's place of residence, and mileage for use of a privately owned vehicle in accordance with chapter 42.24 RCW. The salary and expenses shall be paid by the treasurer of the fund, upon orders made by the board. Each member of the board must before being paid for expenses, take vouchers therefore from the person or persons to whom the particular amount was paid, and must also make affidavit that the amounts were necessarily incurred and expended in the performance of his or her duties.

Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the secretary as provided in this section. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

The dollar thresholds established in this section must be adjusted for inflation by the office of financial management every five years, beginning (~~July 1, 2008~~) January 1, 2024, 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, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and 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 adjustments for inflation in this section. 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.

A person holding office as commissioner for two or more special purpose districts shall receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may receive additional per diem compensation if approved by resolution of all boards of the affected commissions.

Sec. 12. RCW 85.38.075 and 2007 c 469 s 15 are each amended to read as follows:

The members of the governing body may each receive up to ninety dollars per day or portion thereof spent in actual attendance at official meetings of the governing body or in performance of other official services or duties on behalf of the district. The governing body shall fix the compensation to be paid to the members, secretary, and all other agents and employees of the district. Compensation for the members shall not exceed eight thousand six hundred forty dollars in one calendar year. A member is entitled to reimbursement for reasonable expenses actually incurred in connection with such business, including subsistence and lodging, while away from the member's place of residence, and mileage for use of a privately owned vehicle in accordance with chapter 42.24 RCW.

Any member may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the secretary as provided in this section. The waiver, to be effective, must be filed any time after the member's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

The dollar thresholds established in this section must be adjusted for inflation by the office of financial management every five years, beginning (~~July 1, 2008~~) January 1, 2024, 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, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and 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 adjustments for inflation in this section. 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.

A person holding office as commissioner for two or more special purpose districts shall receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may receive additional per diem compensation if approved by resolution of all boards of the affected commissions.

Sec. 13. RCW 86.09.283 and 2007 c 469 s 12 are each amended to read as follows:

The board of directors may each receive up to ninety dollars per day or portion thereof spent in actual attendance at official meetings of the board, or in performance of other official services or duties on behalf of the board. The board shall fix the compensation to be paid to the directors, secretary, and all other

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

agents and employees of the district. Compensation for the directors shall not exceed eight thousand six hundred forty dollars in one calendar year. A director is entitled to reimbursement for reasonable expenses actually incurred in connection with such business, including subsistence and lodging, while away from the director's place of residence, and mileage for use of a privately owned vehicle in accordance with chapter 42.24 RCW.

Any director may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the secretary as provided in this section. The waiver, to be effective, must be filed any time after the director's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

The dollar thresholds established in this section must be adjusted for inflation by the office of financial management every five years, beginning (~~July 1, 2008~~) January 1, 2024, 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, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and 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 adjustments for inflation in this section. 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.

A person holding office as commissioner for two or more special purpose districts shall receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may receive additional per diem compensation if approved by resolution of all boards of the affected commissions.

Sec. 14. RCW 86.15.055 and 2015 c 165 s 1 are each amended to read as follows:

(1) In a zone with supervisors elected pursuant to RCW 86.15.050, the supervisors may, as adjusted in accordance with subsection (4) of this section, each receive up to one hundred fourteen dollars per day or portion of a day spent in actual attendance at official meetings of the governing body or in performance of other official services or duties on behalf of the zone. The compensation for supervisors in office on January 1, 2015, is fixed at one hundred fourteen dollars per day. The board of county commissioners shall fix any such compensation to be paid to the initial supervisors during their initial terms of office. The supervisors shall fix the compensation to be paid to the supervisors thereafter. Compensation for the supervisors shall not exceed ten thousand nine hundred forty-four dollars in one calendar year.

(2) A supervisor is entitled to reimbursement for reasonable expenses actually incurred in connection with performance of the duties of a supervisor, including subsistence and lodging, while away from the supervisor's place of residence, and mileage for use of a privately owned vehicle in accordance with chapter 42.24 RCW.

(3) Any supervisor may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed

with the supervisors as provided in this section. The waiver, to be effective, must be filed any time after the member's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

(4) The dollar thresholds established in this section must be adjusted for inflation by the office of financial management every five years, beginning (~~July 1, 2018~~) January 1, 2024, 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, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and 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, must be used for the adjustments of inflation in this section. 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.

Sec. 15. RCW 87.03.460 and 2009 c 145 s 2 are each amended to read as follows:

(1) In addition to their reasonable expenses in accordance with chapter 42.24 RCW, the directors shall each receive ninety dollars for each day or portion thereof spent by a director for such actual attendance at official meetings of the district, or in performance of other official services or duties on behalf of the district. The total amount of such additional compensation received by a director may not exceed eight thousand six hundred forty dollars in a calendar year. The board shall fix the compensation of the secretary and all other employees.

(2) Any director may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the secretary as provided in this section. The waiver, to be effective, must be filed any time after the director's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

(3) The dollar thresholds established in this section must be adjusted for inflation by the office of financial management every five years, beginning (~~July 1, 2008~~) January 1, 2024, 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, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and 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 adjustments for inflation in this section. 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.

(4) A person holding office as commissioner for two or more special purpose districts shall receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may

receive additional per diem compensation if approved by resolution of all boards of the affected commissions."

On page 1, line 2 of the title, after "compensation;" strike the remainder of the title and insert "and amending RCW 35.61.150, 36.57A.050, 53.12.260, 54.12.080, 57.12.010, 68.52.220, 70.44.050, 85.05.410, 85.06.380, 85.08.320, 85.24.080, 85.38.075, 86.09.283, 86.15.055, and 87.03.460."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Local Government to House Bill No. 2449.

The motion by Senator Takko carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Takko, the rules were suspended, 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.

Senators Takko and Short 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. 2449 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2449 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 Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker and Sheldon

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

SECOND SUBSTITUTE HOUSE BILL NO. 1888, by House Committee on Appropriations (originally sponsored by Hudgins and Valdez)

Protecting employee information from public disclosure.

The measure was read the second time.

MOTION

Senator Kuderer moved that the following committee striking amendment by the Committee on State Government, Tribal Relations & Elections be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 42.56.250 and 2019 c 349 s 2 and 2019 c 229 s 1 are each reenacted and amended to read as follows:

The following employment and licensing information is exempt from public inspection and copying under this chapter:

(1) Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination;

(2) All applications for public employment other than for vacancies in elective office, including the names of applicants, resumes, and other related materials submitted with respect to an applicant;

(3) Professional growth plans (PGPs) in educator license renewals submitted through the eCert system in the office of the superintendent of public instruction;

(4) The following information held by any public agency in personnel records, public employment related records, volunteer rosters, or included in any mailing list of employees or volunteers of any public agency: Residential addresses, residential telephone numbers, personal wireless telephone numbers, personal email addresses, social security numbers, driver's license numbers, identocard numbers, payroll deductions including the amount and identification of the deduction, and emergency contact information of employees or volunteers of a public agency, and the names, dates of birth, residential addresses, residential telephone numbers, personal wireless telephone numbers, personal email addresses, social security numbers, and emergency contact information of dependents of employees or volunteers of a public agency. For purposes of this subsection, "employees" includes independent provider home care workers as defined in RCW 74.39A.240;

(5) Information that identifies a person who, while an agency employee: (a) Seeks advice, under an informal process established by the employing agency, in order to ascertain his or her rights in connection with a possible unfair practice under chapter 49.60 RCW against the person; and (b) requests his or her identity or any identifying information not be disclosed;

(6) Investigative records compiled by an employing agency in connection with an investigation of a possible unfair practice under chapter 49.60 RCW or of a possible violation of other federal, state, or local laws or an employing agency's internal policies prohibiting discrimination or harassment in employment. Records are exempt in their entirety while the investigation is active and ongoing. After the agency has notified the complaining employee of the outcome of the investigation, the records may be disclosed only if the names of complainants, other accusers, and witnesses are redacted, unless a complainant, other accuser, or witness has consented to the disclosure of his or her name. The employing agency must inform a complainant, other accuser, or witness that his or her name will be redacted from the investigation records unless he or she consents to disclosure;

(7) Criminal history records checks for board staff finalist candidates conducted pursuant to RCW 43.33A.025;

(8) Photographs and month and year of birth in the personnel files of employees or volunteers of a public agency, including employees and workers of criminal justice agencies as defined in RCW 10.97.030. The news media, as defined in RCW 5.68.010(5), shall have access to the photographs and full date of birth. For the purposes of this subsection, news media does not include any person or organization of persons in the custody of a criminal justice agency as defined in RCW 10.97.030;

(9) The global positioning system data that would indicate the location of the residence of a public employee or volunteer using the global positioning system recording device; ~~((and))~~

(10) Until the person reaches eighteen years of age, information, otherwise disclosable under chapter 29A.08 RCW, that relates to a future voter, except for the purpose of processing and delivering ballots; and

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

(11) Voluntarily submitted information collected and maintained by a state agency or higher education institution that identifies an individual state employee's personal demographic details. "Personal demographic details" means race or ethnicity, sexual orientation as defined by RCW 49.60.040(26), immigration status, national origin, or status as a person with a disability. This exemption does not prevent the release of state employee demographic information in a deidentified or aggregate format.

(12) Upon receipt of a request for information located exclusively in an employee's personnel, payroll, supervisor, or training file, the agency must provide notice to the employee, to any union representing the employee, and to the requestor. The notice must state:

- (a) The date of the request;
- (b) The nature of the requested record relating to the employee;
- (c) That the agency will release any information in the record which is not exempt from the disclosure requirements of this chapter at least ten days from the date the notice is made; and
- (d) That the employee may seek to enjoin release of the records under RCW 42.56.540."

On page 1, line 2 of the title, after "disclosure;" strike the remainder of the title and insert "and reenacting and amending RCW 42.56.250."

MOTION

Senator Short moved that the following floor amendment no. 1279 by Senator Short be adopted:

On page 3, line 10, after "must" strike "state" and insert "include"

On page 3, line 12, after "(b)" strike "The nature of the requested record relating to the employee" and insert "A copy of the request"

On page 3, line 13, after "(c)" strike "That" insert "A statement that"

Senator Short spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Kuderer spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1279 by Senator Short on page 3, line 10 to Second Substitute House Bill No. 1888.

The motion by Senator Short did not carry and floor amendment no. 1279 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following floor amendment no. 1276 by Senator Ericksen be adopted:

On page 3, after line 17, insert the following:

"NEW SECTION. Sec. 2. A new section is added to chapter 42.56 RCW to read as follows:

At the request of a nonprofit organization, an agency must arrange to distribute written material to its employees on behalf of the nonprofit organization, subject to the following conditions:

- (1) The agency may either distribute the written material to employees at work or arrange to send the written material to employees' home mailing addresses via postal mail.
- (2) The agency must not disclose any information exempt from public inspection and copying under RCW 42.56.250 to the nonprofit organization.

- (3) The nonprofit organization must:
 - (a) Be registered with the secretary of state;
 - (b) Create the written material;
 - (c) Use the written material to inform public employees about constitutional, legal, or civil rights; and
 - (d) Pay for or reimburse the agency for all costs involved in distributing or mailing the written material.
- (4) The written material must not:
 - (a) Solicit contributions;
 - (b) Promote commercial goods or services;
 - (c) Support or oppose political candidates or ballot measures;
- or
- (d) Contain content that is threatening, violent, or obscene.
- (5) The agency may decline to distribute or send more than four pieces of written material per calendar year to its employees on behalf of any nonprofit organization so requesting."

On page 3, beginning on line 19, after "insert" strike "and reenacting and amending RCW 42.56.250" and insert "reenacting and amending RCW 42.56.250; and adding a new section to chapter 42.56 RCW"

Senator Ericksen spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Kuderer spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1276 by Senator Ericksen on page 3, after line 17 to Second Substitute House Bill No. 1888.

The motion by Senator Ericksen did not carry and floor amendment no. 1276 was not adopted by voice vote.

MOTION

Senator Short moved that the following floor amendment no. 1280 by Senator Short be adopted:

On page 3, after line 17, insert the following:

"NEW SECTION. Sec. 2. A new section is added to chapter 42.56 RCW to read as follows:

No agency may disclose, provide, or otherwise release any of the following information for employees or volunteers of a public agency to a labor union without the employee's or volunteer's voluntary, written authorization:

- (1) Dates of birth;
- (2) Residential telephone numbers;
- (3) Personal wireless telephone numbers;
- (4) Personal email addresses;
- (5) Social security numbers;
- (6) Identocard numbers; and
- (7) Emergency contact information."

On page 3, line 19, after "insert" strike "and reenacting and amending RCW 42.56.250" and insert "reenacting and amending RCW 42.56.250; and adding a new section to chapter 42.56 RCW"

Senator Short spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Kuderer spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1280 by Senator Short on page 3, after line 17 to Second Substitute House Bill No. 1888.

The motion by Senator Short did not carry and floor amendment no. 1280 was not 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 State Government, Tribal Relations & Elections to Second Substitute House Bill No. 1888.

The motion by Senator Kuderer carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Second Substitute House Bill No. 1888 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 Kuderer and Liias spoke in favor of passage of the bill.

Senators Schoesler, Ericksen, Short, Braun, Padden and Fortunato spoke against passage of the bill.

MOTION

On motion of Senator Brown, Senator Walsh was excused.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1888 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1888 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 36; Nays, 10; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Ericksen, Fortunato, Honeyford, Muzzall, Padden, Schoesler, Short, Wagoner, Warnick and Wilson, L.

Excused: Senators Becker, Sheldon and Walsh

SECOND SUBSTITUTE HOUSE BILL NO. 1888, 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. 2803, by House Committee on Finance (originally sponsored by Tarleton, Robinson, Sells, Lekanoff, Gregerson, Chapman, Orwall, Peterson, Tharinger and Pollet)

Authorizing the governor to enter into compacts with Indian tribes addressing certain state retail sales tax, certain state use tax, and certain state business and occupation tax revenues, as specified in a memorandum of understanding entered into by the state, Tulalip tribes, and Snohomish county, in January 2020, and including other terms necessary for the department of revenue to administer any such compact.

The measure was read the second time.

MOTION

Senator Braun moved that the following floor amendment no. 1285 by Senator Braun be adopted:

On page 1, line 5 of the title, after "January" insert "and February"

Senator Braun spoke in favor of adoption of the amendment. Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1285 by Senator Braun on page 1, line 5 to Substitute House Bill No. 2803.

The motion by Senator Braun did not carry and floor amendment no. 1285 was not adopted by voice vote.

MOTION

Senator Short moved that the following floor amendment no. 1278 by Senator Short be adopted:

On page 3, line 22, after "(3)" insert "If revenues are transferred from the budget stabilization account under Article VII, section 12(d)(ii) of the state Constitution, the amounts paid to a tribe under subsection (2)(a) through (d) of this section must be reduced by twenty-five percent for the two fiscal years subsequent to the fiscal year in which the transfer occurs.

(4)"

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senator Short spoke in favor of adoption of the amendment. Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1278 by Senator Short on page 3, line 22 to Substitute House Bill No. 2803.

The motion by Senator Short did not carry and floor amendment no. 1278 was not adopted by voice vote.

MOTION

Senator Short moved that the following floor amendment no. 1277 by Senator Short be adopted:

On page 4, line 13, after "compacting tribe" insert "or the governor"

Senator Short spoke in favor of adoption of the amendment. Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1277 by Senator Short on page 4, line 13 to Substitute House Bill No. 2803.

The motion by Senator Short did not carry and floor amendment no. 1277 was not adopted by voice vote.

MOTION

Senator Braun moved that the following floor amendment no. 1284 by Senator Braun be adopted:

On page 4, beginning on line 18, after "transactions" strike all material through "administration" on line 22 and insert "and the state may deduct one percent of the taxes to be paid to offset administrative expenses incurred by the department"

Senator Braun spoke in favor of adoption of the amendment. Senator Rolfes spoke against adoption of the amendment.

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

The President declared the question before the Senate to be the adoption of floor amendment no. 1284 by Senator Braun on page 4, line 18 to Substitute House Bill No. 2803.

The motion by Senator Braun did not carry and floor amendment no. 1284 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following floor amendment no. 1270 by Senator Ericksen be adopted:

On page 4, line 31, after "area;" strike "and"
 On page 4, line 33, after "terms" insert "; and
 (j) Terms specifying that a compacting tribe will pay prevailing wage rates through local collective bargaining as determined by the department of labor and industries"

Senator Ericksen spoke in favor of adoption of the amendment.
 Senator Rolfes spoke against adoption of the amendment.
 The President declared the question before the Senate to be the adoption of floor amendment no. 1270 by Senator Ericksen on page 4, line 31 to Substitute House Bill No. 2803.
 The motion by Senator Ericksen did not carry and floor amendment no. 1270 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following floor amendment no. 1271 by Senator Ericksen be adopted:

On page 4, line 31, after "area;" strike "and"
 On page 4, line 33, after "terms" insert "; and
 (j) Terms specifying that tribal businesses and tribal employees of a compacting tribe must fully contribute and participate in the family and medical leave program under Title 50A RCW and the long-term services and supports trust program under chapter 50B.04 RCW"

Senator Ericksen spoke in favor of adoption of the amendment.
 Senator Rolfes spoke against adoption of the amendment.
 The President declared the question before the Senate to be the adoption of floor amendment no. 1271 by Senator Ericksen on page 4, line 31 to Substitute House Bill No. 2803.
 The motion by Senator Ericksen did not carry and floor amendment no. 1271 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following floor amendment no. 1272 by Senator Ericksen be adopted:

On page 4, line 31, after "area;" strike "and"
 On page 4, line 33, after "terms" insert "; and
 (j) Terms specifying that a compacting tribe will comply with all state human health ambient water quality standards under chapter 173-201A WAC and seek permits from state and local permitting authorities"

Senators Ericksen and Schoesler spoke in favor of adoption of the amendment.
 Senator Rolfes spoke against adoption of the amendment.
 The President declared the question before the Senate to be the adoption of floor amendment no. 1272 by Senator Ericksen on page 4, line 31 to Substitute House Bill No. 2803.

The motion by Senator Ericksen did not carry and floor amendment no. 1272 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following floor amendment no. 1273 by Senator Ericksen be adopted:

On page 4, line 31, after "area;" strike "and"
 On page 4, line 33, after "terms" insert "; and
 (j) Terms specifying that a business operating within the Indian reservation of a compacting tribe is subject to state and local permitting requirements in lieu of any tribal permitting requirements"

Senator Ericksen spoke in favor of adoption of the amendment.
 Senator Rolfes spoke against adoption of the amendment.
 The President declared the question before the Senate to be the adoption of floor amendment no. 1273 by Senator Ericksen on page 4, line 31 to Substitute House Bill No. 2803.
 The motion by Senator Ericksen did not carry and floor amendment no. 1273 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following floor amendment no. 1274 by Senator Ericksen be adopted:

On page 4, line 31, after "area;" strike "and"
 On page 4, line 33, after "terms" insert "; and
 (j) Terms specifying that any city or county that includes any portion of a compact covered area may impose impact fees to offset the cost of public services provided by the city or county to businesses operating within a compact covered area"

Senator Ericksen spoke in favor of adoption of the amendment.
 Senator Rolfes spoke against adoption of the amendment.
 The President declared the question before the Senate to be the adoption of floor amendment no. 1274 by Senator Ericksen on page 4, line 31 to Substitute House Bill No. 2803.
 The motion by Senator Ericksen did not carry and floor amendment no. 1274 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following floor amendment no. 1275 by Senator Ericksen be adopted:

On page 4, line 31, after "area;" strike "and"
 On page 4, line 33, after "terms" insert "; and
 (j) Terms specifying that a compacting tribe will provide predictive scheduling for tribal employees, which includes: Advance notice of work schedules; reasonable additional compensation for work schedule changes; sufficient rest between work shifts; and adequate record retention to establish compliance, which must be for a minimum of three years"

Senator Ericksen spoke in favor of adoption of the amendment.
 Senator Saldaña spoke against adoption of the amendment.
 The President declared the question before the Senate to be the adoption of floor amendment no. 1275 by Senator Ericksen on page 4, line 33 to Substitute House Bill No. 2803.
 The motion by Senator Ericksen did not carry and floor amendment no. 1275 was not adopted by voice vote.

MOTION

Senator Braun moved that the following floor amendment no. 1283 by Senator Braun be adopted:

On page 4, line 31, after "area;" strike "and"

On page 4, line 33, after "terms" insert "; and"

(j) Terms specifying that a compact does not take effect until either (i) a federal appellate court rules that the state and local governments are prohibited from collecting sales and use taxes and business and occupation taxes on qualified transactions, or (ii) the state attorney general, following oral argument at the United States supreme court, advises the state that it is more than likely not going to prevail on the issue of whether state and local governments can validly impose sales and use and business and occupation taxes on qualified transactions"

Senator Braun spoke in favor of adoption of the amendment.

Senator Billig spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1283 by Senator Braun on page 4, line 31 to Substitute House Bill No. 2803.

The motion by Senator Braun did not carry and floor amendment no. 1283 was not adopted by voice vote.

MOTION

Senator Braun moved that the following floor amendment no. 1290 by Senator Braun be adopted:

On page 4, line 31, after "area;" strike "and"

On page 4, line 33, after "terms" insert "; and"

(j) An agreement that payments will cease during any fiscal year in which the total payments to all compacting tribes would exceed one hundred twenty-five million dollars for that fiscal year"

Senators Braun, King and Ericksen spoke in favor of adoption of the amendment.

Senator Liias spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1290 by Senator Braun on page 4, line 31 to Substitute House Bill No. 2803.

The motion by Senator Braun did not carry and floor amendment no. 1290 was not adopted by voice vote.

MOTION

Senator Braun moved that the following floor amendment no. 1289 by Senator Braun be adopted:

On page 4, line 32, after "compact" insert "not to exceed ten years"

Senator Braun spoke in favor of adoption of the amendment.

Senator Rolfes spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1289 by Senator Braun on page 4, line 32 to Substitute House Bill No. 2803.

The motion by Senator Braun did not carry and floor amendment no. 1289 was not adopted by voice vote.

MOTION

Senator Schoesler moved that the following floor amendment no. 1269 by Senator Schoesler be adopted:

On page 7, after line 28, insert the following:

"**NEW SECTION. Sec. 3.** A new section is added to chapter 42.17A RCW to read as follows:

No tribe negotiating a compact with the governor or the department of revenue under section 2 of this act may make a contribution to any candidate for governor or any political or incidental committee which makes expenditures in support of or in opposition to any candidate for governor from the period beginning when the compact is being negotiated up to and including the next gubernatorial election."

Renumber the remaining section consecutively and correct any internal references accordingly.

On page 1, line 8 of the title, after "RCW;" insert "adding a new section to chapter 42.17A RCW;"

Senators Schoesler and Ericksen spoke in favor of adoption of the amendment.

Senators Liias and Frockt spoke against adoption of the amendment.

Senator Schoesler 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 the amendment by Senator Schoesler on page 7, line 28 to Substitute House Bill No. 2803.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Schoesler and the amendment was not adopted by the following vote: Yeas, 18; Nays, 28; Absent, 0; Excused, 3.

Voting yea: Senators Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, Muzzall, O'Ban, Padden, Rivers, Schoesler, Short, Wagoner, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Pedersen, Randall, Rolfes, Saldaña, Salomon, Stanford, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senators Becker, Sheldon and Walsh.

MOTION

On motion of Senator Liias, the rules were suspended, Substitute House Bill No. 2803 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

POINT OF ORDER

Senator Braun: "Thank you Mr. President. I would contend that Substitute House Bill No. 2803 violates Senate Rule No. 25, which requires the subject of the bill to be expressed in its title. I would like to make comments on this."

President Habib: "Senator Braun has objected to the scope of the bill under the title pursuant to rule no. 25. Remarks, Senator Braun."

Senator Braun: "Thank you, Mr. President. So, the title of this bill is very narrow and very specifically requires that the bill be consistent with the provisions in an MOU [Memorandum Of Understanding] among the State, the Tulalip tribe and Snohomish County. Again, the title requires that the bill match the MOU, but

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

the bill does not do this. The MOU says revenue sharing beyond the first \$500,000 won't take place until the fifth year but the bill allows revenue sharing beyond the first \$500,000 to take place earlier, specifically in less than four years after the signing of the compact. Therefore, the bill is inconsistent with the MOU referenced in the title. That means that Substitute House Bill No. 2803 violates Rule No. 25 because the title refers to a measure that follows the MOU and it doesn't follow the MOU. I don't know how to be more clear than that. I request that you hold that this bill violates Rule No. 25 and is not properly before us."

Senator Liias: "Thank you, Mr. President. If I could read the title of the bill, I guess I don't have to ask permission because it is from the bill. Mr. President it says in part that it authorizes the Governor to enter into compact with Indian tribes, addressing certain retail sales tax ...entered into by the State, Tulalip tribe and Snohomish County in January 2020 and including other terms necessary for the Department of Revenue to administer any such compact. Mr. President, in February of 2020, the Department of Revenue reached a clarification with the Tulalip tribes to the MOU that was signed in January 2020 and under the provisions of the title which say 'a memorandum of understanding entered into in January 2020 which took place and the title says including other terms necessary for the Department of Revenue to administer any such compact pursuant to that February 2020 clarification the bill before us is embraced in the title and I believe that this point is not well taken."

President Habib: "Okay, I'm not, there is already a point of order before us Senator Ericksen, so unless you have a...it is not a motion for one thing, thank you though for your opinion. There's, frankly, the President, it is not even required to allow for there to be point and counterpoint but I've done that because I think that is the right way to have at least one representative from each side. Senator Liias, I'm going to, I'm not familiar enough with the title and the content of this bill, despite having stood through God knows how many amendments tonight, I'm still not familiar enough, so I'm not in a position to make a ruling on it right at this moment. So, I'm going to ask that you and, Senator Liias and Senator Short, come up to the bar for one moment just to talk about the timing of this very briefly before we continue."

MOTION

At 10:44 p.m. the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 10:45 p.m. by President Habib.

MOTION

On motion of Senator Liias, the senate deferred further consideration of Substitute House Bill No. 2803 and the bill held its place on the third reading calendar.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1251, by House Committee on State Government & Tribal Relations (originally sponsored by Tarleton, Hudgins and Wylie)

Concerning security breaches of election systems or election data including by foreign entities.

The measure was read the second time.

MOTION

Senator Hunt moved that the following committee striking amendment by the Committee on State Government, Tribal Relations & Elections be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that public confidence in state elections systems and election data are of paramount consideration to the integrity of the voting process. The legislature also finds that recent events have revealed an intentional and persistent effort by foreign entities to influence election systems and other cyber networks. Therefore, the legislature intends to review the state's electoral systems and processes and take appropriate measures to identify whether foreign entities were responsible for the intrusions.

NEW SECTION. Sec. 2. A new section is added to chapter 29A.12 RCW to read as follows:

(1) The secretary of state must annually consult with the Washington state fusion center, state chief information officer, and each county auditor to identify instances of security breaches of election systems or election data.

(2) To the extent possible, the secretary of state must identify whether the source of a security breach, if any, is a foreign entity, domestic entity, or both.

(3) By December 31st of each year, the secretary of state must submit a report to the governor, state chief information officer, Washington state fusion center, and the chairs and ranking members of the appropriate legislative committees from the senate and house of representatives that includes information on any instances of security breaches identified under subsection (1) of this section and options to increase the security of the election systems and election data, and to prevent future security breaches. The report, and any related material, data, or information provided pursuant to subsection (1) of this section or used to assemble the report, may only be distributed to, or otherwise shared with, the individuals specifically mentioned in this subsection (3).

(4) For the purposes of this section:

(a) "Foreign entity" means an entity that is not organized or formed under the laws of the United States, or a person who is not domiciled in the United States or a citizen of the United States.

(b) "Security breach" means a breach of the election system or associated data where the system or associated data has been penetrated, accessed, or manipulated by an unauthorized person.

Sec. 3. RCW 29A.12.070 and 2003 c 111 s 307 are each amended to read as follows:

An agreement to purchase or lease a voting system or a component of a voting system is subject to that system or component passing ~~((a))~~:

(1) An acceptance test sufficient to demonstrate that the equipment is the same as that certified by the secretary of state and that the equipment is operating correctly as delivered to the county; and

(2) A vulnerability test conducted by a federal or state public entity which includes participation by local elections officials."

On page 1, line 2 of the title, after "entities;" strike the remainder of the title and insert "amending RCW 29A.12.070;

adding a new section to chapter 29A.12 RCW; and creating a new section."

MOTION

Senator Zeiger moved that the following floor amendment no. 1257 by Senator Zeiger be adopted:

On page 2, after line 20, insert the following:

"**Sec. 4.** RCW 29A.40.091 and 2019 c 161 s 3 are each amended to read as follows:

(1) The county auditor shall send each voter a ballot, a security envelope in which to conceal the ballot after voting, a larger envelope in which to return the security envelope, a declaration that the voter must sign, and instructions on how to obtain information about the election, how to mark the ballot, and how to return the ballot to the county auditor.

(2) The voter must swear under penalty of perjury that he or she meets the qualifications to vote, and has not voted in any other jurisdiction at this election. The declaration must clearly inform the voter that it is illegal to vote if he or she is not a United States citizen; it is illegal to vote if he or she has been convicted of a felony and has not had his or her voting rights restored; and it is illegal to cast a ballot or sign a ballot declaration on behalf of another voter. The ballot materials must provide space for the voter to sign the declaration, indicate the date on which the ballot was voted, and include a telephone number.

(3) For overseas and service voters, the signed declaration constitutes the equivalent of a voter registration. Return envelopes for overseas and service voters must enable the ballot to be returned postage free if mailed through the United States postal service, United States armed forces postal service, or the postal service of a United States foreign embassy under 39 U.S.C. 3406.

(4) The voter must be instructed to either return the ballot to the county auditor no later than 8:00 p.m. the day of the election or primary, or mail the ballot to the county auditor with a postmark no later than the day of the election or primary. Return envelopes for all election ballots must include prepaid postage. ~~((Service and overseas voters must be provided with instructions and a privacy sheet for returning the ballot and signed declaration by fax or email. A voted ballot and signed declaration returned by fax or email must be received by 8:00 p.m. on the day of the election or primary.))~~

(5) The county auditor's name may not appear on the security envelope, the return envelope, or on any voting instructions or materials included with the ballot if he or she is a candidate for office during the same year.

(6) For purposes of this section, "prepaid postage" means any method of return postage paid by the county or state.

Sec. 5. RCW 29A.40.110 and 2011 c 349 s 18, 2011 c 348 s 4, and 2011 c 10 s 41 are each reenacted and amended to read as follows:

(1) The opening and subsequent processing of return envelopes for any primary or election may begin upon receipt. The tabulation of absentee ballots must not commence until after 8:00 p.m. on the day of the primary or election.

(2) All received return envelopes must be placed in secure locations from the time of delivery to the county auditor until their subsequent opening. After opening the return envelopes, the county canvassing board shall place all of the ballots in secure storage until processing. Ballots may be taken from the inner envelopes and all the normal procedural steps may be performed to prepare these ballots for tabulation.

(3) The canvassing board, or its designated representatives, shall examine the postmark on the return envelope and signature

on the declaration before processing the ballot. The ballot must either be received no later than 8:00 p.m. on the day of the primary or election, or must be postmarked no later than the day of the primary or election. All personnel assigned to verify signatures must receive training on statewide standards for signature verification. Personnel shall verify that the voter's signature on the ballot declaration is the same as the signature of that voter in the registration files of the county. Verification may be conducted by an automated verification system approved by the secretary of state. A variation between the signature of the voter on the ballot declaration and the signature of that voter in the registration files due to the substitution of initials or the use of common nicknames is permitted so long as the surname and handwriting are clearly the same.

(4) If the postmark is missing or illegible, the date on the ballot declaration to which the voter has attested determines the validity, as to the time of voting, for that ballot. For overseas voters and service voters, the date on the declaration to which the voter has attested determines the validity, as to the time of voting, for that ballot. ~~((Any overseas voter or service voter may return the signed declaration and voted ballot by fax or email by 8:00 p.m. on the day of the primary or election, and the county auditor must use established procedures to maintain the secrecy of the ballot.))~~

Sec. 6. RCW 29A.60.235 and 2018 c 218 s 9 are each amended to read as follows:

(1) The county auditor shall prepare at the time of certification an election reconciliation report that discloses the following information:

- (a) The number of registered voters;
- (b) The number of ballots issued;
- (c) The number of ballots received;
- (d) The number of ballots counted;
- (e) The number of ballots rejected;
- (f) The number of provisional ballots issued;
- (g) The number of provisional ballots received;
- (h) The number of provisional ballots counted;
- (i) The number of provisional ballots rejected;
- (j) The number of federal write-in ballots received;
- (k) The number of federal write-in ballots counted;
- (l) The number of federal write-in ballots rejected;
- (m) The number of overseas and service ballots issued by mail, email, web site link, or facsimile;
- (n) The number of overseas and service ballots received ~~((by mail, email, or facsimile));~~
- (o) The number of overseas and service ballots counted ~~((by mail, email, or facsimile));~~
- (p) The number of overseas and service ballots rejected ~~((by mail, email, or facsimile));~~
- (q) The number of nonoverseas and nonservice ballots sent by email, web site link, or facsimile;
- (r) ~~((The number of nonoverseas and nonservice ballots received by email or facsimile;~~
- ~~(s))~~ The number of nonoverseas and nonservice ballots that were rejected for ~~((:~~
 - ~~(i) Failing to send an original or hard copy of the ballot by the certification deadline; or~~
 - ~~(ii) Any other~~) any reason, including the reason for rejection;
- ~~((+))~~ (s) The number of voters credited with voting;
- ~~((+))~~ (t) The number of replacement ballots requested;
- ~~((+))~~ (u) The number of replacement ballots issued;
- ~~((+))~~ (v) The number of replacement ballots received;
- ~~((+))~~ (w) The number of replacement ballots counted;
- ~~((+))~~ (x) The number of replacement ballots rejected; and
- ~~((+))~~ (y) Any other information the auditor or secretary of state deems necessary to reconcile the number of ballots counted

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

with the number of voters credited with voting, and to maintain an audit trail.

(2) The county auditor must make the report available to the public at the auditor's office and must publish the report on the auditor's web site at the time of certification. The county auditor must submit the report to the secretary of state at the time of certification in any form determined by the secretary of state.

(3)(a) The secretary of state must collect the reconciliation reports from each county auditor and prepare a statewide reconciliation report for each state primary and general election. The report may be produced in a form determined by the secretary that includes the information as described in this subsection (3). The report must be prepared and published on the secretary of state's web site within two months after the last county's election results have been certified.

(b) The state report must include a comparison among counties on rates of votes received, counted, and rejected, including provisional, write-in, and overseas ballots (~~and ballots transmitted electronically~~). The comparison information may be in the form of rankings, percentages, or other relevant quantifiable data that can be used to measure performance and trends.

(c) The state report must also include an analysis of the data that can be used to develop a better understanding of election administration and policy. The analysis must combine data, as available, over multiple years to provide broader comparisons and trends regarding voter registration and turnout and ballot counting. The analysis must incorporate national election statistics to the extent such information is available."

On page 2, line 22, after "29A.12.070" insert ", 29A.40.091, and 29A.60.235; reenacting and amending RCW 29A.40.110"

Senators Zeiger and Braun spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Hunt spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 1257 by Senator Zeiger on page 2, after line 20 to the committee striking amendment.

The motion by Senator Zeiger did not carry and floor amendment no. 1257 was not adopted by a rising vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on State Government, Tribal Relations & Elections to Substitute House Bill No. 1251.

The motion by Senator Hunt carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, Substitute House Bill No. 1251 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 Hunt and Braun spoke in favor of passage of the bill. Senator Zeiger spoke on passage of the bill.

MOTION

On motion of Senator Mullet, Senators Conway and McCoy were excused.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1251 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1251 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Erickson, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Muzzall, Nguyen, O'Ban, Padden, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Becker, Conway, McCoy, Sheldon and Walsh

SUBSTITUTE HOUSE BILL NO. 1251, 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. 2421, by House Committee on Appropriations (originally sponsored by Tarleton, Pollet and Doglio)

Concerning state reimbursement of election costs.

The measure was read the second time.

MOTION

Senator Hunt 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 29A.04.410 and 2013 c 11 s 10 are each amended to read as follows:

Every county, city, town, and district, and the state is liable for its proportionate share of the costs when such elections are held in conjunction with other elections held under RCW 29A.04.321 and 29A.04.330.

Whenever any county, city, town, or district, or the state holds any primary or election, general or special, on an isolated date, all costs of such elections must be borne by the county, city, town, or district concerned, or the state as appropriate.

The purpose of this section is to clearly establish that the county is not responsible for any costs involved in the holding of any city, town, ~~((or))~~ district, state, or federal election.

In recovering such election expenses, including a reasonable ~~((pro-ration))~~ proration of administrative costs, the county auditor shall certify the cost to the county treasurer with a copy to the clerk or auditor of the city, town, or district concerned, or the secretary of state as appropriate. Upon receipt of such certification relating to a city, town, or district, the county treasurer shall make the transfer from any available and appropriate city, town, or district funds to the county current expense fund or to the county election reserve fund if such a fund is established. Each city, town, or district must be promptly

notified by the county treasurer whenever such transfer has been completed. However, in those districts wherein a treasurer, other than the county treasurer, has been appointed such transfer procedure does not apply, but the district shall promptly issue its warrant for payment of election costs. State and federal offices are to be considered one entity for purposes of election cost proration and reimbursement.

Sec. 2. RCW 29A.04.420 and 2019 c 161 s 2 are each amended to read as follows:

(1) Whenever federal officers, state officers, or measures are voted upon at a state primary or general election held ~~((in an odd-numbered year))~~ under RCW 29A.04.321, the state of Washington shall assume a prorated share of the costs of that state primary or general election~~((~~

~~((2) The state shall reimburse counties for))~~ for the federal and state offices and measures, including the prorated cost of return postage, required to be included on return envelopes pursuant to RCW 29A.40.091~~((, for all elections)).~~

~~((3))~~ (2) Whenever a primary or vacancy election is held to fill a vacancy in the position of United States senator or United States representative under chapter 29A.28 RCW, the state of Washington shall assume a prorated share of the costs of that primary or vacancy election.

~~((4))~~ (3) The county auditor shall apportion the state's share of these expenses when prorating election costs under RCW 29A.04.410 and in accordance with the state budgeting, accounting, and reporting system, shall file such expense claims with the secretary of state.

~~((5))~~ (4) The secretary of state shall include in his or her biennial budget requests sufficient funds to carry out this section. Reimbursements for election costs shall be from appropriations specifically provided by law for that purpose.

(5) State and federal offices are to be considered one entity for purposes of election cost proration and reimbursement.

Sec. 3. RCW 29A.04.216 and 2013 c 11 s 7 are each amended to read as follows:

The county auditor of each county shall be ex officio the supervisor of all primaries and elections, general or special, and it shall be the county auditor's duty to provide places for holding such primaries and elections; to provide the supplies and materials necessary for the conduct of elections; and to publish and post notices of calling such primaries and elections in the manner provided by law. The auditor shall also apportion to the county, each city, town, or district, and to the state of Washington ~~((in the odd-numbered year))~~, its share of the expense of such primaries and elections. This section does not apply to general or special elections for any city, town, or district that is not subject to RCW 29A.04.321 and 29A.04.330, but all such elections must be held and conducted at the time, in the manner, and by the officials (with such notice, requirements for filing for office, and certifications by local officers) as provided and required by the laws governing such elections. State and federal offices are to be considered one entity for purposes of election cost proration and reimbursement.

Sec. 4. RCW 29A.04.430 and 2003 c 111 s 148 are each amended to read as follows:

(1) For any reimbursement of election costs under RCW 29A.04.420, the secretary of state shall pay ~~((interest at an annual rate equal to two percentage points in excess of the discount rate on ninety-day commercial paper in effect at the federal reserve bank in San Francisco on the fifteenth day of the month immediately preceding the payment for any period of time in excess of))~~ within thirty days after the receipt of a properly executed and documented voucher for such expenses and the entry of an allotment from specifically appropriated funds for this purpose until those funds are exhausted. If funds appropriated for

this purpose are not sufficient to pay all claims, the secretary of state shall include a budget request to the legislature during the next legislative session for sufficient funds for reimbursement of all remaining claims and shall pay all properly executed and documented vouchers to the counties within thirty days of allotment of specifically appropriated funds for this purpose. The secretary of state shall promptly notify any county that submits an incomplete or inaccurate voucher for reimbursement under RCW 29A.04.420.

(2) Funding provided in this section to counties for election costs in even-numbered years is retrospective and prospective reimbursement under RCW 43.135.060 for any new or increased responsibilities under this title.

Sec. 5. RCW 29A.64.081 and 2004 c 271 s 181 are each amended to read as follows:

The canvassing board shall determine the expenses for conducting a recount of votes.

~~((The))~~ (1) For a recount conducted under RCW 29A.64.011, the cost of the recount shall be deducted from the amount deposited by the applicant for the recount at the time of filing the request for the recount, and the balance shall be returned to the applicant. If the costs of the recount exceed the deposit, the applicant shall pay the difference. No charges may be deducted by the canvassing board from the deposit for a recount if the recount changes the result of the nomination or election for which the recount was ordered.

(2) For a recount conducted under RCW 29A.64.021, for an office where the candidates filed the declarations of candidacy with the secretary of state, any legislative office, and any congressional office, the county auditor shall file an expense claim for such costs with the secretary of state. The secretary of state shall include a budget request to the legislature during the next legislative session for sufficient funds for reimbursement of all costs of the recount and shall pay all properly executed and documented vouchers to the counties within thirty days of allotment of specifically appropriated funds for this purpose. The secretary of state shall promptly notify any county that submits an incomplete or inaccurate voucher for reimbursement under this section.

(3) State and federal offices are to be considered one entity for purposes of election cost proration and reimbursement.

Sec. 6. RCW 29A.32.210 and 2013 c 11 s 38 are each amended to read as follows:

~~((At least ninety days before))~~ Before any primary or general election, or ~~((at least forty days before))~~ any special election held under RCW 29A.04.321 or 29A.04.330, ~~((the legislative authority of any county or first class or code city may adopt an ordinance authorizing the publication and distribution of))~~ each county auditor shall print and distribute a local voters' pamphlet. The pamphlet shall provide information on all measures ~~((within that jurisdiction and may, if specified in the ordinance, include information on))~~ and candidates within that jurisdiction. ~~((If both a county and a first class or code city within that county authorize a local voters' pamphlet for the same election, the pamphlet shall be produced jointly by the county and the first class or code city. If no agreement can be reached between the county and first class or code city, the county and first class or code city may each produce a pamphlet. Any ordinance adopted authorizing a local voters' pamphlet may be for a specific primary, special election, or general election or for any future primaries or elections.))~~

NEW SECTION. **Sec. 7.** This act takes effect July 1, 2021."

On page 1, line 1 of the title, after "costs;" strike the remainder of the title and insert "amending RCW 29A.04.410, 29A.04.420,

FIFTY SECOND DAY, MARCH 4, 2020

2020 REGULAR SESSION

29A.04.216, 29A.04.430, 29A.64.081, and 29A.32.210; 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 Ways & Means to Engrossed Substitute House Bill No. 2421.

The motion by Senator Hunt carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Hunt, the rules were suspended, Engrossed Substitute House Bill No. 2421 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 Hunt and Zeiger 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. 2421 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2421 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 42; Nays, 2; Absent, 0; Excused, 5.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Muzzall, Nguyen, O'Ban, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Takko, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Ericksen and Padden

Excused: Senators Becker, Conway, McCoy, Sheldon and Walsh

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2421 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 Liias announced a meeting of the Committee on State Government, Tribal Relations & Elections at 8:00 a.m., Thursday, March 6.

Senator Carlyle announced a brief meeting of the Committee on Environment, Energy & Technology at 8:45 a.m., Thursday, March 6.

MOTION

At 11:08 p.m., on motion of Senator Liias, the Senate adjourned until 9:00 o'clock a.m. Thursday, March 5, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate