

THIRTY EIGHTH DAY

MORNING SESSION

Senate Chamber, Olympia
 Wednesday, February 17, 2016

The Senate was called to order at 9:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Kathleen Rhode Farr and Rakshith Mullukatte, presented the Colors.

The prayer was offered by Senator Jan Angel.

MOTION

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

MOTION

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

MESSAGE FROM THE HOUSE

February 16, 2016

MR. PRESIDENT:

The House has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 1037,
 THIRD SUBSTITUTE HOUSE BILL NO. 1499,
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1553,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1605,
 SECOND SUBSTITUTE HOUSE BILL NO. 1651,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2148,
 HOUSE BILL NO. 2321,
 HOUSE BILL NO. 2332,
 HOUSE BILL NO. 2350,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2439,
 SUBSTITUTE HOUSE BILL NO. 2498,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2518,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2540,
 HOUSE BILL NO. 2565,
 HOUSE BILL NO. 2619,
 ENGROSSED HOUSE BILL NO. 2659,
 HOUSE BILL NO. 2800,
 SUBSTITUTE HOUSE BILL NO. 2831,
 SUBSTITUTE HOUSE BILL NO. 2841,
 SUBSTITUTE HOUSE BILL NO. 2876,
 ENGROSSED HOUSE BILL NO. 2959

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

February 16, 2016

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1130,
 HOUSE BILL NO. 1231,
 SUBSTITUTE HOUSE BILL NO. 1290,
 SECOND SUBSTITUTE HOUSE BILL NO. 1448,
 HOUSE BILL NO. 1565,
 ENGROSSED HOUSE BILL NO. 1590,
 SUBSTITUTE HOUSE BILL NO. 1631,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2355,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2375,
 HOUSE BILL NO. 2398,
 SUBSTITUTE HOUSE BILL NO. 2503,
 SUBSTITUTE HOUSE BILL NO. 2519,
 SECOND SUBSTITUTE HOUSE BILL NO. 2530,
 SUBSTITUTE HOUSE BILL NO. 2539,
 HOUSE BILL NO. 2651,
 HOUSE BILL NO. 2764,
 SUBSTITUTE HOUSE BILL NO. 2767,
 HOUSE BILL NO. 2768,
 ENGROSSED HOUSE BILL NO. 2775,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2783,
 HOUSE BILL NO. 2815,
 HOUSE BILL NO. 2838,
 HOUSE BILL NO. 2845,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2847,
 HOUSE BILL NO. 2886,
 SUBSTITUTE HOUSE BILL NO. 2900,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2908,
 SUBSTITUTE HOUSE BILL NO. 2964,
 ENGROSSED HOUSE BILL NO. 2971

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

2ESHB 1094 by House Committee on Technology & Economic Development (originally sponsored by Representative Morris)

AN ACT Relating to biometric identifiers; amending RCW 19.86.080; and adding a new section to chapter 19.215 RCW.

Referred to Committee on Law & Justice.

E3SHB 1713 by House Committee on Appropriations (originally sponsored by Representatives Cody, Harris, Jinkins, Moeller, Tharinger, Appleton, Ortiz-Self and Pollet)

AN ACT Relating to integrating the treatment systems for mental health and chemical dependency; amending RCW 70.96A.140, 70.96A.145, 71.05.010, 71.05.025, 71.05.026, 71.05.050, 71.05.120, 71.05.132, 71.05.150, 71.05.150, 71.05.153, 71.05.153, 71.05.154, 71.05.156, 71.05.157, 71.05.160, 71.05.170, 71.05.180, 71.05.190, 71.05.195,

71.05.201, 71.05.203, 71.05.210, 71.05.212, 71.05.214, 71.05.215, 71.05.220, 71.05.230, 71.05.235, 71.05.240, 71.05.240, 71.05.280, 71.05.290, 71.05.300, 71.05.320, 71.05.320, 71.05.325, 71.05.340, 71.05.585, 71.05.590, 71.05.590, 71.05.360, 71.05.380, 71.05.435, 71.05.530, 71.05.560, 71.05.620, 71.05.700, 71.05.705, 71.05.745, 71.05.750, 71.34.020, 71.34.305, 71.34.375, 71.34.385, 71.34.400, 71.34.410, 71.34.420, 71.34.500, 71.34.520, 71.34.600, 71.34.630, 71.34.650, 71.34.660, 71.34.700, 71.34.700, 71.34.710, 71.34.710, 71.34.720, 71.34.720, 71.34.740, 71.34.740, 71.34.750, 71.34.750, 71.34.760, 71.34.780, 71.34.780, 9.41.098, 4.24.558, 5.60.060, 9.41.280, 9.95.143, 10.77.010, 10.77.025, 10.77.027, 10.77.060, 10.77.065, 10.77.084, 10.77.088, 11.92.190, 43.185C.255, 18.83.110, 43.20A.025, 70.48.475, 70.97.010, 71.05.660, 71.24.045, 71.24.330, 71.32.080, 71.32.140, 71.32.150, 72.09.315, 72.09.370, 43.185C.305, 74.50.070, 71.24.025, 71.24.035, 70.96A.050, 71.24.037, 70.96A.090, 71.24.385, 70.96A.035, 70.96C.010, 70.96A.037, 70.96A.047, 70.96A.055, 70.96A.087, 70.96A.170, 70.96A.400, 70.96A.800, 70.96A.905, 71.24.300, 71.24.350, 9.94A.660, 10.05.020, 10.05.030, 10.05.150, 70.96C.020, 46.61.5055, 46.61.5056, and 82.04.4277; reenacting and amending RCW 70.96A.020, 71.05.020, 71.05.210, 71.34.730, 70.02.010, 70.02.230, 71.24.025, and 70.96A.350; adding new sections to chapter 71.05 RCW; adding new sections to chapter 71.24 RCW; adding a new section to chapter 72.09 RCW; creating new sections; recodifying RCW 70.96A.035, 70.96A.037, 70.96A.040, 70.96A.043, 70.96A.047, 70.96A.050, 70.96A.055, 70.96A.080, 70.96A.085, 70.96A.087, 70.96A.090, 70.96A.100, 70.96A.170, 70.96A.190, 70.96A.350, 70.96A.400, 70.96A.410, 70.96A.420, 70.96A.430, 70.96A.500, 70.96A.510, 70.96A.520, 70.96A.800, 70.96A.905, 70.96C.010, and 70.96C.020; decodifying RCW 43.135.03901; repealing RCW 70.96A.011, 70.96A.020, 70.96A.095, 70.96A.096, 70.96A.097, 70.96A.110, 70.96A.120, 70.96A.140, 70.96A.141, 70.96A.142, 70.96A.145, 70.96A.148, 70.96A.155, 70.96A.157, 70.96A.160, 70.96A.180, 70.96A.230, 70.96A.235, 70.96A.240, 70.96A.245, 70.96A.250, 70.96A.255, 70.96A.260, 70.96A.265, 70.96A.910, 70.96A.915, 70.96A.920, 70.96A.930, 70.96B.010, 70.96B.020, 70.96B.030, 70.96B.040, 70.96B.045, 70.96B.050, 70.96B.060, 70.96B.070, 70.96B.080, 70.96B.090, 70.96B.100, 70.96B.110, 70.96B.120, 70.96B.130, 70.96B.140, 70.96B.150, 70.96B.800, 71.05.032, 70.96A.010, 70.96A.030, 70.96A.045, 70.96A.060, 70.96A.150, 70.96A.300, 70.96A.310, 70.96A.320, and 70.96A.325; providing effective dates; providing expiration dates; and declaring an emergency.

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

E2SHB 1725 by House Committee on Appropriations (originally sponsored by Representatives Cody and Tharinger)

AN ACT Relating to the consumer's right to assign hours to individual providers and the department of social and health services' authority to adopt rules related to payment of individual providers; amending RCW 74.39A.270; creating a new section; and declaring an emergency.

Referred to Committee on Health Care.

2SHB 1900 by House Committee on Appropriations (originally sponsored by Representatives Ortiz-Self, Johnson, Orwall, Muri, Lytton, Tarleton, Pollet and Bergquist)

AN ACT Relating to defining the role of the school counselor, social worker, and psychologist; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.410 RCW; creating new sections; and providing an expiration date.

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

ESHB 1949 by House Committee on Higher Education (originally sponsored by Representatives Pollet, S. Hunt, Gregerson, Ortiz-Self, Moscoso, Ormsby and McBride)

AN ACT Relating to regulating the institutions of higher education, including for-profit institutions and private vocational schools, to protect students from unfair business practices; amending RCW 28B.85.020, 28B.85.090, 28B.85.100, 28C.10.050, 28C.10.110, and 28C.10.130; adding new sections to chapter 28B.85 RCW; adding a new section to chapter 28C.10 RCW; creating a new section; prescribing penalties; and providing an expiration date.

Referred to Committee on Higher Education.

E2SHB 1983 by House Committee on Appropriations (originally sponsored by Representatives Pollet, Zeiger, S. Hunt, Haler and Bergquist)

AN ACT Relating to a pilot project on financial assistance for teachers taking basic skills and content tests for teacher certification programs; adding a new section to chapter 28A.630 RCW; creating a new section; and providing an expiration date.

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

EHB 2033 by Representatives Goodman, Rodne, Orwall, Jinkins, Griffey, Fey, Pollet and Ormsby

AN ACT Relating to sexual assault protection orders; and amending RCW 7.90.120 and 7.90.121.

Referred to Committee on Law & Justice.

HB 2280 by Representatives Klippert and Hayes

AN ACT Relating to making felony driving under the influence of intoxicating liquor, marijuana, or any drug a class B felony; amending RCW 46.61.502; and prescribing penalties.

Referred to Committee on Law & Justice.

SHB 2287 by House Committee on Judiciary (originally sponsored by Representatives McCabe, Appleton, Johnson, Wylie, Dye, Walsh, Dent, Wilson, Kagi, Caldier, Haler, Kochmar and Senn)

AN ACT Relating to providing notice to first responders that a person with a disability may be present at the scene of an emergency; adding a new section to chapter 43.70 RCW; adding a new section to chapter 38.52 RCW; and creating a new section.

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

HB 2320 by Representatives Stokesbary, Hurst, Peterson, Calder, Schmick, Stambaugh and Wilcox

AN ACT Relating to providing that the horse racing commission operating account is a nonappropriated account; and amending RCW 67.16.280.

Referred to Committee on Commerce & Labor.

HB 2360 by Representatives Lytton, Magendanz, Sullivan, Reykdal, Rossetti, Santos and Chandler

AN ACT Relating to eliminating the quality education council; amending RCW 28A.175.075, 28A.230.090, 28A.300.136, and 28A.400.201; and repealing RCW 28A.290.010 and 28A.290.020.

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

SHB 2381 by House Committee on Education (originally sponsored by Representatives Ortiz-Self, Kilduff, Walsh, Peterson, Gregerson, Cody, Calder, Jinkins, Reykdal, Frame, Stanford, Sells, McBride, Bergquist and Pollet)

AN ACT Relating to creating a task force on school counselors, psychologists, and social workers; creating a new section; and providing an expiration date.

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

HB 2384 by Representatives Buys, Wylie, Orwall and Rodne

AN ACT Relating to clarifying the meaning of mobile telecommunications service provider; amending RCW 9A.86.010; and prescribing penalties.

Referred to Committee on Law & Justice.

SHB 2396 by House Committee on Judiciary (originally sponsored by Representatives McBride, Calder, Senn, Goodman, Kagi, Sawyer, Tharinger, Tarleton, Stanford, Farrell, Moscoso and Ormsby)

AN ACT Relating to access to nonemergency, outpatient, primary health care services for unaccompanied homeless youth under the federal McKinney-Vento homeless assistance act; and amending RCW 7.70.065.

Referred to Committee on Health Care.

SHB 2410 by House Committee on Judiciary (originally sponsored by Representatives Hayes, Orwall, Klippert, Goodman, Griffey, Fitzgibbon, Magendanz, Muri and Ormsby)

AN ACT Relating to requiring information about certain criminal defendants be included in the felony firearm offense conviction database; and amending RCW 9.41.330.

Referred to Committee on Law & Justice.

SHB 2429 by House Committee on Appropriations (originally sponsored by Representatives Calder, Reykdal, Magendanz, Ortiz-Self, Young, McBride, McCaslin, Muri, Kilduff, Pollet and Santos)

AN ACT Relating to providing assessment results to students and their parents or guardians; and adding a new section to chapter 28A.655 RCW.

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

SHB 2483 by House Committee on Judiciary (originally sponsored by Representatives Sawyer, Orwall, Jinkins, Tarleton, Kilduff, Sells, McBride, Bergquist, Ormsby, Santos and Goodman)

AN ACT Relating to protecting minors from sexual exploitation; adding a new chapter to Title 10 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

HB 2494 by Representatives Tarleton, Santos and Gregerson

AN ACT Relating to penalties for marijuana offenses; amending RCW 69.50.4013, 69.50.401, and 69.50.4014; reenacting and amending RCW 69.50.101; and prescribing penalties.

Referred to Committee on Law & Justice.

ESHB 2545 by House Committee on Health Care & Wellness

(originally sponsored by Representatives Van De Wege, Taylor, DeBolt, Cody, Rodne, Kochmar, Stambaugh, Riccelli, Johnson, Jinkins, Kagi, Harris, Smith, Stokesbary, Calder, Zeiger, Tharinger, Hickel, Fitzgibbon, Muri, Reykdal, Frame, Rossetti, S. Hunt, Hudgins, McBride, Ormsby, Appleton, Walkinshaw, Senn, Ryu, Gregerson, Sells, Harmsworth, Tarleton, Pollet, Bergquist, Stanford and Scott)

AN ACT Relating to reducing public health threats that particularly impact highly exposed populations, including children and firefighters, by establishing a process for the department of health to restrict the use of toxic flame retardant chemicals in certain types of consumer products; amending RCW 70.240.050; adding a new chapter to Title 70 RCW; prescribing penalties; and providing an expiration date.

Referred to Committee on Health Care.

SHB 2584 by House Committee on Commerce & Gaming (originally sponsored by Representatives Vick, Van De Wege, Blake, Harris and Tarleton)

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

Referred to Committee on Commerce & Labor.

ESHB 2604 by House Committee on State Government (originally sponsored by Representatives Kuderer, Goodman, Johnson, Wilcox, Morris, Hudgins, MacEwen and Wilson)

AN ACT Relating to disclosure of financial, commercial, and proprietary criminal background check information of employees of private employers; and amending RCW 42.56.270.

Referred to Committee on Government Operations & Security.

SHB 2644 by House Committee on Judiciary (originally sponsored by Representatives Blake, Muri, Van De Wege, Jinkins, Kretz, Short, Fitzgibbon, Rossetti and McBride)

AN ACT Relating to animal forfeiture in animal cruelty cases; and amending RCW 16.52.085 and 16.52.200.

Referred to Committee on Law & Justice.

ESHB 2647 by House Committee on Community Development, Housing & Tribal Affairs (originally sponsored by Representatives Jinkins, Ryu, Fey, Santos and Frame)

AN ACT Relating to disposing tax foreclosed property to cities for affordable housing purposes; and amending RCW 36.35.150.

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

SHB 2682 by House Committee on Appropriations (originally sponsored by Representatives S. Hunt, Kilduff, Appleton, Orwall, Bergquist, Reykdal, Stanford, Pettigrew, Gregerson, Ormsby, Hickel, Frame and Pollet)

AN ACT Relating to providing automatic voter registration at qualified voter registration agencies; amending RCW 29A.08.410, 29A.08.420, and 29A.08.720; adding a new section to chapter 29A.04 RCW; adding new sections to chapter 29A.08 RCW; adding a new section to chapter 29A.84 RCW; creating new sections; and providing an effective date.

Referred to Committee on Government Operations & Security.

SHB 2765 by House Committee on Public Safety (originally sponsored by Representatives Kretz, Moscoso, Griffey, Hayes and Holy)

AN ACT Relating to clarifying the limited authority of park rangers; amending RCW 79A.05.160; and adding a new section to chapter 79A.05 RCW.

Referred to Committee on Law & Justice.

2SHB 2769 by House Committee on Appropriations (originally sponsored by Representatives Senn, Zeiger, Bergquist, Haler, Reykdal, Frame, Rossetti, Kilduff and Goodman)

AN ACT Relating to creating a pilot program for community and technical colleges to offer bachelor degrees; amending RCW 28B.50.140; reenacting and amending RCW 28B.15.069; adding a new section to chapter 28B.50 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Higher Education.

ESHB 2785 by House Committee on Environment (originally sponsored by Representatives Shea, Short, Schmick, Taylor, Scott and McCaslin)

AN ACT Relating to ensuring that restrictions on the use of solid fuel burning devices do not prohibit the installation or replacement of solid fuel burning devices or the use of these

devices during temporary outages of other sources of heat; and amending RCW 70.94.473 and 70.94.477.

Referred to Committee on Energy, Environment & Telecommunications.

2SHB 2791 by House Committee on Appropriations (originally sponsored by Representatives Pettigrew, Goodman, Moscoso, Senn, Frame, Stanford, Santos and Walkinshaw)

AN ACT Relating to the Washington statewide reentry council; reenacting and amending RCW 41.06.070; adding a new chapter to Title 43 RCW; creating a new section; and providing an expiration date.

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

HB 2806 by Representatives Kuderer, Gregerson, Stambaugh, Griffey, Hayes, Ormsby, Van De Wege, Sawyer, Moeller, Zeiger, Riccelli, Stokesbary, Tarleton, Fitzgibbon, Reykdal, Morris, Pollet, Goodman and Bergquist

AN ACT Relating to the presumption of occupational diseases for purposes of industrial insurance; amending RCW 51.32.185; and creating a new section.

Referred to Committee on Commerce & Labor.

ESHB 2825 by House Committee on Higher Education (originally sponsored by Representatives Frame, Zeiger, Walkinshaw, Stambaugh, Fitzgibbon, Haler, Tarleton, Pollet, Reykdal, McBride, Kagi, Kilduff, Morris, Ryu and Stanford)

AN ACT Relating to student services for students with disabilities; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education.

ESHB 2834 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Senn, Walsh, Kagi, Fey, Kilduff, Stanford and McBride)

AN ACT Relating to implementing the homeless youth prevention and protection act of 2015; amending RCW 43.185C.010, 43.185C.180, 43.185C.250, 43.185C.260, 43.185C.280, 43.185C.285, 43.185C.295, 43.185C.320, 43.185C.325, and 43.185C.330; and reenacting and amending RCW 13.50.010.

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

SHB 2875 by House Committee on Technology & Economic Development (originally sponsored by Representatives Smith, Morris and Magendanz)

AN ACT Relating to establishing the office of data privacy, protection, and access equity; adding a new section to chapter 43.105 RCW; adding a new section to chapter 44.28 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Government Operations & Security.

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2SHB 2933 by House Committee on Capital Budget (originally sponsored by Representatives Gregerson, Santos and Ryu)
AN ACT Relating to small works rosters; and amending RCW 39.04.155.

Referred to Committee on Commerce & Labor.

SHB 2938 by House Committee on Finance (originally sponsored by Representatives Orcutt and Walkinshaw)
AN ACT Relating to encouraging participation in Washington trade conventions by modifying tax provisions related to establishing substantial nexus; amending RCW 82.04.067; adding a new section to chapter 82.32 RCW; creating a new section; and providing an effective date.

Referred to Committee on Trade & Economic Development.

HJM 4010 by Representatives Dunshee, Santos, Stanford, Wylie, S. Hunt, Tharinger, Ortiz-Self, Fitzgibbon, Sells, Ryu, Walkinshaw, Kagi, Peterson, Hudgins, Robinson and Bergquist
Requesting that state route number 99 be named the "William P. Stewart Memorial Highway."

Referred to Committee on Transportation.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Second Engrossed House Bill No. 1094 which was referred to the Committee on Law & Justice.

MOTION

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

MOTION

Senator Ericksen moved adoption of the following resolution:

SENATE RESOLUTION
8707

By Senators Ericksen, Baumgartner, Benton, Rolfes, Billig, Mullet, Padden, Ranker, McAuliffe, and Fraser

WHEREAS, It is the policy of the Washington State Legislature to recognize and honor the contribution of individuals who demonstrate excellence among their peers and inspire others in their community; and

WHEREAS, Don Murdzia, of Bellingham, has been an influential umpire and referee to over 30 schools throughout Washington and beyond; and

WHEREAS, Don's long-standing passion as an athlete, umpire, and referee of three sports allows us to celebrate the outstanding effort of such a passionate individual; and

WHEREAS, A graduate of Ferndale High School, Don lettered in baseball, basketball, football, and track and field in his senior year; and

WHEREAS, Don's passion for sports caught the eye of Milt Clothier, affording him the opportunity to become an umpire in

1959; and

WHEREAS, Don expanded his officiating career in 1963, refereeing for both football and basketball after being recruited by Frank "Moose" Zurlene; and

WHEREAS, Don received The Dave Duvall Meritorious Service Award in 1977 for outstanding service to the Northwest Interscholastic Activities Association for his extensive time and effort in promoting extracurricular activities from within the association; and

WHEREAS, Don's exceptional skills as an umpire earned him the CJ Mitchell Umpire Service Award in the Washington State Baseball Coaches Hall of Fame in 2001; and

WHEREAS, Don's career as an umpire reaches further than Washington State to such places as Australia and Cooperstown, New York, home of the National Baseball Hall of Fame and Museum; and

WHEREAS, At 76 years old, Don continues to umpire baseball and plans a return to football despite a hip revision surgery in September of 2015; and

WHEREAS, Don has distinguished himself from his peers with over 8,200 games, and counting, as an umpire and referee; and

WHEREAS, After a 53 year basketball career, Don has retired in order to, in his words, "smell the roses" and play golf with his sons and grandchildren;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize and honor Don Murdzia for his tremendous passion, dedication, and devotion towards the sports which continue to shape and inspire our youth in Washington State; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Don Murdzia, Ferndale High School, the Washington State Baseball Coaches Hall of Fame, and the Whatcom Skagit Island Football Officials Association.

Senators Ericksen and Padden spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8707.

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

INTRODUCTION OF GUEST

The President welcomed and introduced Mr. Don Murdzia who was seated in the gallery.

MOTION

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

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator King moved that Douglas D. Peters, Gubernatorial Appointment No. 9136, be confirmed as a member of the Parks and Recreation Commission.

Senator King spoke in favor of the motion.

APPOINTMENT OF DOUGLAS D. PETERS

The President declared the question before the Senate to be the

confirmation of Douglas D. Peters, Gubernatorial Appointment No. 9136, as a member of the Parks and Recreation Commission.

ROLL CALL

The Secretary called the roll on the confirmation of Douglas D. Peters, Gubernatorial Appointment No. 9136, as a member of the Parks and Recreation Commission and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

Douglas D. Peters, Gubernatorial Appointment No. 9136, having received the constitutional majority was declared confirmed as a member of the Parks and Recreation Commission.

MOTION TO LIMIT DEBATE

Pursuant to Rule 29, on motion of Senator Fain and without objection, senators were limited to speaking but once and for no more than three minutes on each question under debate for the remainder of the day by voice vote.

MOTION

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

INTRODUCTION OF GUESTS

The President welcomed and introduced members of the Swedish Parliament (Riksdag) Committee on Civil Affairs, Hillevi Larsson, MP, Jessika Roswall, MP, Eva Sonidsson, MP, Ola Johansson, MP, Emma Hult, MP, Thomas Finnborg, MP, Mikael Eskilander, MP, Robert Hannah, MP, Johanna Haraldsson, MP, Lise-Lotte Jonsson Fornarve, MP, Monica Hall, Head of the Committee Secretariat, Susanne Sjöblom, Committee Secretary, Lars Jonsson, Consul of the Kingdom of Sweden, Denice Sigvardsson, Assistant to the Consul, and the Honorable Ralph Munro, Former Washington State Secretary of State who were seated in the gallery.

SECOND READING

SENATE BILL NO. 6523, by Senators Pearson, Hasegawa and Conway

Providing service credit for pension purposes for certain emergency medical services employees.

MOTIONS

On motion of Senator Pearson, Substitute Senate Bill No. 6523 was substituted for Senate Bill No. 6523 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pearson, the rules were suspended, Substitute Senate Bill No. 6523 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pearson and Conway spoke in favor of passage of the

bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6523.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6523 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6523, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

THIRD READING

SENATE BILL NO. 5205, by Senators Becker, Parlette and Warnick

Allowing spouses to combine volunteer hours for purposes of receiving a complimentary discover pass.

The bill was read on Third Reading.

Senators Becker and Jayapal spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5205.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5205 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5205, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate

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reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5109, by Senator Brown

Concerning infrastructure financing for local governments.

The measure was read the second time.

MOTION

On motion of Senator Brown, Second Substitute Senate Bill No. 5109 was substituted for Senate Bill No. 5109 and the second substitute bill was placed on the second reading and read the second time.

MOTION

Senator Brown moved that the following amendment no. 618 by Senators Brown and Fraser be adopted:

On page 9, line 13, after "July 1," strike "2020" and insert "2022"

Senators Brown, Fraser and Chase spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 618 by Senators Brown and Fraser on page 9, line 13 to Second Substitute Senate Bill No. 5109.

The motion by Senator Brown carried and amendment no. 618 was adopted by voice vote.

MOTION

Senator Brown moved that the following amendment no. 611 by Senator Brown be adopted:

On page 15, beginning on line 23, strike all of section 6

On page 1, line 2 of the title, after "governments;" insert "and"

On page 1, line 3 of the title, after "82.32.765" strike "; and providing an effective date"

Senator Brown spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 611 by Senator Brown on page 15, line 23 to Second Substitute Senate Bill No. 5109.

The motion by Senator Brown carried and amendment no. 611 was adopted by voice vote.

MOTION

On motion of Senator Brown, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5109 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Brown spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5109.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5109 and the bill passed the

Senate by the following vote: Yeas, 40; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dangel, Darneille, Ericksen, Fain, Fraser, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Carlyle, Frockt, Jayapal, Lias, McAuliffe, McCoy, Nelson, Pedersen and Ranker

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5109, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

THIRD READING

FOURTH ENGROSSED SUBSTITUTE SENATE BILL NO. 5857, by Senate Committee on Ways & Means (originally sponsored by Senators Parlette, Conway, Becker and Pearson)

Addressing registration and regulation of pharmacy benefit managers.

The bill was read on Third Reading.

MOTION

On motion of Senator Parlette, the rules were suspended and Fourth Engrossed Substitute Senate Bill No. 5857 was returned to second reading for the purpose of amendment.

MOTION

Senator Parlette moved that the following striking amendment no. 652 by Senators Parlette, O'Ban and Becker be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 19.340.030 and 2014 c 213 s 2 are each amended to read as follows:

(1) To conduct business in this state, a pharmacy benefit manager must register with the ((department of revenue's business licensing service)) office of the insurance commissioner and annually renew the registration.

(2) To register under this section, a pharmacy benefit manager must:

(a) Submit an application requiring the following information:

(i) The identity of the pharmacy benefit manager;

(ii) The name, business address, phone number, and contact person for the pharmacy benefit manager; and

(iii) Where applicable, the federal tax employer identification number for the entity; and

(b) Pay a registration fee ((of two hundred dollars)) established in rule by the commissioner. The registration fee must be set to allow the registration and oversight activities to be self-supporting.

(3) To renew a registration under this section, a pharmacy benefit manager must pay a renewal fee ((of two hundred dollars)) established in rule by the commissioner. The renewal fee must be

set to allow the renewal and oversight activities to be self-supporting.

(4) All receipts from registrations and renewals collected by the ((department)) commissioner must be deposited into the ((business license account created in RCW 19.02.210)) insurance commissioner's regulatory account created in RCW 48.02.190.

NEW SECTION. Sec. 2. (1) The commissioner shall have enforcement authority over this chapter and shall have authority to render a binding decision in any dispute between a pharmacy benefit manager, or third-party administrator of prescription drug benefits, and a pharmacy or pharmacy services administrative organization, arising out of an appeal regarding drug pricing and reimbursement.

(2) Any person, corporation, or third-party administrator of prescription drug benefits, pharmacy benefit manager, or business entity which violates any provision of this chapter shall be subject to a civil penalty in the amount of one thousand dollars for each act in violation of this chapter or, if the violation was knowing and willful, a civil penalty of five thousand dollars for each violation of this chapter.

Sec. 3. RCW 19.340.010 and 2014 c 213 s 1 are each amended to read as follows:

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

(1) "Claim" means a request from a pharmacy or pharmacist to be reimbursed for the cost of filling or refilling a prescription for a drug or for providing a medical supply or service.

(2) "Commissioner" means the insurance commissioner established in chapter 48.02 RCW.

(3) "Insurer" has the same meaning as in RCW 48.01.050.

((3)) (4) "Pharmacist" has the same meaning as in RCW 18.64.011.

((4)) (5) "Pharmacy" has the same meaning as in RCW 18.64.011.

((5)) (6)(a) "Pharmacy benefit manager" means a person that contracts with pharmacies on behalf of an insurer, a third-party payor, or the prescription drug purchasing consortium established under RCW 70.14.060 to:

(i) Process claims for prescription drugs or medical supplies or provide retail network management for pharmacies or pharmacists;

(ii) Pay pharmacies or pharmacists for prescription drugs or medical supplies; or

(iii) Negotiate rebates with manufacturers for drugs paid for or procured as described in this subsection.

(b) "Pharmacy benefit manager" does not include a health care service contractor as defined in RCW 48.44.010.

((6)) (7) "Third-party payor" means a person licensed under RCW 48.39.005.

Sec. 4. RCW 19.340.100 and 2014 c 213 s 10 are each amended to read as follows:

(1) As used in this section:

(a) "List" means the list of drugs for which ((maximum allowable)) predetermined reimbursement costs have been established, such as a maximum allowable cost or maximum allowable cost list or any other benchmark prices utilized by the pharmacy benefit manager and must include the basis of the methodology and sources utilized to determine multisource generic drug reimbursement amounts.

(b) ("Maximum allowable cost" means the maximum amount that a pharmacy benefit manager will reimburse a pharmacy for the cost of a drug.

(c) "Multiple source drug" means a therapeutically equivalent drug that is available from at least two manufacturers.

(d)) "Multisource generic drug" means any covered outpatient prescription drug for which there is at least one other drug product

that is rated as therapeutically equivalent under the food and drug administration's most recent publication of "Approved Drug Products with Therapeutic Equivalence Evaluations;" is pharmaceutically equivalent or bioequivalent, as determined by the food and drug administration; and is sold or marketed in the state during the period.

(c) "Network pharmacy" means a retail drug outlet licensed as a pharmacy under RCW 18.64.043 that contracts with a pharmacy benefit manager.

(d) "Pharmacy acquisition cost" means the amount that a pharmaceutical wholesaler or distributor charges for a pharmaceutical product as listed on the pharmacy's invoice.

(e) "Therapeutically equivalent" has the same meaning as in RCW 69.41.110.

(2) A pharmacy benefit manager:

(a) May not place a drug on a list unless there are at least two therapeutically equivalent multiple source drugs, or at least one generic drug available from only one manufacturer, generally available for purchase by network pharmacies from national or regional wholesalers;

(b) Shall utilize the most up-to-date pricing data to calculate reimbursement to pharmacies for drugs subject to multisource generic drug prices within one business day of any price update or modification;

(c) Shall ensure that all drugs on a list are ((generally)) readily available, meaning at least one product with a current national drug code, for purchase by network pharmacies in this state from national or regional wholesalers that serve pharmacies in Washington;

((c)) (d) Shall ensure that all drugs on a list are not obsolete;

((d)) (e) Shall make available to each network pharmacy at the beginning of the term of a contract, and upon renewal of a contract, the sources utilized to determine the maximum allowable cost pricing of the pharmacy benefit manager;

((e)) (f) Shall make ((a)) any list available to a network pharmacy upon request in a format that is readily accessible to and usable by the network pharmacy;

((f)) (g) Shall update each list maintained by the pharmacy benefit manager every seven business days and make the updated lists, including all changes in the price of drugs, available to network pharmacies in a readily accessible and usable format;

((g)) (h) Shall ensure that dispensing fees are not included in the calculation of maximum allowable cost.

(3) A pharmacy benefit manager must establish a process by which a network pharmacy, or their contracting agent such as a pharmacy services administrative organization, may appeal its reimbursement for a ((drug subject to maximum allowable cost pricing)) multisource generic drug. A network pharmacy, or their contracting agent, may appeal ((a maximum allowable cost)) its reimbursement for a multisource generic drug if the reimbursement for the drug is less than the ((net)) amount that the network pharmacy paid to the supplier of the drug. ((An appeal requested under this section must be completed within thirty calendar days of the pharmacy making the claim for which an appeal has been requested.)) Upon receipt of an appeal, the pharmacy benefit manager shall supply the network pharmacy the national drug code for a product available to the network pharmacy from a national or regional wholesaler operating in Washington at a price less than or equal to the reimbursed amount. An appeal requested under this section must be completed within ten calendar days of the network pharmacy, or their contracting agent, submitting the appeal.

(4) A pharmacy benefit manager must provide as part of the appeals process established under subsection (3) of this section:

(a) A telephone number at which a network pharmacy may contact the pharmacy benefit manager and speak with an

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individual who is responsible for processing appeals; and

(b) ((A final response to an appeal of a maximum allowable cost within seven business days; and

(c)) If the appeal is denied, the reason for the denial and the national drug code ((of a drug that may be)) of an equivalent multisource generic drug that has been purchased by ((similarly situated pharmacies)) another network pharmacy located in Washington state at a price that is equal to or less than the ((maximum allowable cost.

(5)(a) If an appeal is upheld under this section, the pharmacy benefit manager shall make an adjustment on a date no later than one day after the date of determination. The pharmacy benefit manager shall make the adjustment effective for all similarly situated pharmacies in this state that are within the network.

(b)) pharmacy benefit manager's list price within seven days of the appealed claim, and provide the name of a pharmaceutical wholesaler who operates in Washington state at which the drug can be acquired by the challenging network pharmacy.

(5) If the request for an adjustment has come from a critical access pharmacy, as defined by the state health care authority by rule for purposes related to the prescription drug purchasing consortium established under RCW 70.14.060, the adjustment ((approved under (a) of this subsection)) shall apply only to critical access pharmacies.

(6) Beginning January 1, 2017, if a network pharmacy appeal to the pharmacy benefit manager is denied, or if the network pharmacy is unsatisfied with the outcome of the appeal, the pharmacy or pharmacist may dispute the decision and request review by the commissioner within thirty calendar days of receiving the decision.

(a) All relevant information from the parties may be presented to the commissioner, and the commissioner may enter an order directing the pharmacy benefit manager to make an adjustment to the disputed claim, deny the pharmacy appeal, or take other actions deemed fair and equitable. An appeal requested under this section must be completed within thirty calendar days of the request.

(b) Upon resolution of the dispute, the commissioner shall provide a copy of the decision to both parties within seven calendar days.

(c) Appeals under this subsection (6) are subject to chapter 34.05 RCW. The commissioner may authorize the office of administrative hearings, as provided in chapter 34.12 RCW, to conduct appeals under this subsection (6).

(7) This section does not apply to the state medical assistance program.

NEW SECTION. Sec. 5. (1) The pharmacy benefit manager shall disclose to each plan sponsor in all contracts between the pharmacy benefit manager and a plan sponsor providing prescription drug coverage in the state a written explanation of the methodology and sources utilized by the pharmacy benefit manager to determine multisource generic drug prices.

(2) Multisource generic drug prices shall be updated and transmitted in writing to every plan sponsor providing prescription drug coverage in this state within seven business days whenever there is a pricing change under any contract it utilizes in this state.

(3) If a pharmacy benefit manager utilizes multisource generic drug prices for drugs dispensed by network pharmacies in this state but does not utilize the same multisource generic drug prices for drugs dispensed in this state through a mail order or other nonretail pharmacy, the pharmacy benefit manager must disclose the difference between the multisource generic drug pricing of drugs dispensed between network retail pharmacies and other

nonretail pharmacies, in writing to each plan sponsor no later than five business days from the utilization of the multisource generic drug pricing.

NEW SECTION. Sec. 6. (1) The commissioner shall accept registration of pharmacy benefit managers as established in RCW 19.340.030 and receipts shall be deposited in the insurance commissioner's regulatory account.

(2) The commissioner shall have enforcement authority over chapter 19.340 RCW consistent with requirements established in section 2 of this act.

(3) The commissioner may write rules to implement chapter 19.340 RCW and to establish registration and renewal fees that ensure the registration, renewal, and oversight activities are self-supporting.

NEW SECTION. Sec. 7. The insurance commissioner must review the potential to use the independent review organizations, established in RCW 48.43.535, as an alternative to the appeal process for pharmacy and pharmacy benefit manager disputes, and other disputes between providers and insurance carriers. By December 1, 2016, the commissioner must submit recommendations to the health care committees of the legislature.

NEW SECTION. Sec. 8. Section 1 of this act takes effect January 1, 2017.

NEW SECTION. Sec. 9. RCW 19.340.010, 19.340.020, 19.340.030, 19.340.040, 19.340.050, 19.340.060, 19.340.070, 19.340.080, 19.340.090, and 19.340.100 are each recodified as a new chapter in Title 48 RCW.

NEW SECTION. Sec. 10. Sections 2, 5, and 6 of this act are each added to chapter 48.--- RCW (the new chapter created in section 9 of this act)."

On page 1, line 2 of the title, after "managers;" strike the remainder of the title and insert "amending RCW 19.340.030, 19.340.010, and 19.340.100; adding a new chapter to Title 48 RCW; creating a new section; recodifying RCW 19.340.010, 19.340.020, 19.340.030, 19.340.040, 19.340.050, 19.340.060, 19.340.070, 19.340.080, 19.340.090, and 19.340.100; prescribing penalties; and providing an effective date."

Senator Parlette spoke in favor of adoption of the amendment.
Senator Cleveland spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Parlette, O'Ban and Becker to Fourth Engrossed Substitute Senate Bill No. 5857.

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

MOTION

On motion of Senator Parlette, the rules were suspended, Fifth Engrossed Substitute Senate Bill No. 5857 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Parlette, Conway, Angel and Becker spoke in favor of passage of the bill.

Senators Cleveland, Keiser and Frockt spoke against passage of the bill.

MOTION

Senator Fain demanded that the previous question be put.
The President declared that at least two additional senators joined the demand and the demand was sustained.

The President declared the question before the Senate to be,

“Shall the main question be now put?”

The motion by Senator Fain carried and the previous question was put by voice vote.

The President declared the question before the Senate to be the final passage of Fifth Engrossed Substitute Senate Bill No. 5857.

ROLL CALL

The Secretary called the roll on the final passage of Fifth Engrossed Substitute Senate Bill No. 5857 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 16; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Becker, Braun, Brown, Carlyle, Chase, Conway, Dammeier, Dansel, Darneille, Fain, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Baumgartner, Benton, Billig, Cleveland, Ericksen, Fraser, Frockt, Habib, Hasegawa, Jayapal, Liias, McAuliffe, McCoy, Nelson, Roach and Rolfes

FIFTH ENGROSSED SUBSTITUTE SENATE BILL NO. 5857, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

POINT OF INQUIRY

Senator Dammeier: “I noticed this was the fifth engrossment of Senate Bill 5857. That is certainly the highest number I have ever seen. Could this possibly be the grossest bill we’ve ever seen on the Senate floor?”

REPLY BY THE PRESIDENT

President Owen: “Could be Senator.”

MOTION

On motion of Senator Rolfes, and without objection, Senators Hargrove and Ranker was excused.

MOTION

On motion of Senator Fain, and without objection, Senator Hill was excused.

MOTION

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

SECOND READING

SENATE BILL NO. 6414, by Senators Rolfes, Pearson, Warnick and Angel

Concerning hatchery management agreements.

The measure was read the second time.

MOTION

On motion of Senator Rolfes, the rules were suspended, Senate Bill No. 6414 was advanced to third reading, the second reading

considered the third and the bill was placed on final passage.

Senators Rolfes and Pearson spoke in favor of passage of the bill.

Senator Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6414.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6414 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Hasegawa

Excused: Senators Hargrove and Hill

SENATE BILL NO. 6414, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6170, by Senators Roach, Darneille and Benton

Providing for an exemption from disclosure of certain financial, commercial, and proprietary information held by a city retirement board on behalf of its employees' retirement system.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, Senate Bill No. 6170 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Roach spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6170.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6170 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hargrove and Hill

SENATE BILL NO. 6170, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6614, by Senators Hobbs, King and Conway

Concerning performance oversight of the state transportation system.

The measure was read the second time.

MOTION

On motion of Senator Hobbs, the rules were suspended, Senate Bill No. 6614 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hobbs and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6614.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6614 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hargrove and Hill

SENATE BILL NO. 6614, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6268, by Senators Schoesler and Hargrove

Concerning the removal of provisions that are no longer necessary for continued publication in the Revised Code of Washington.

MOTIONS

On motion of Senator Schoesler, Substitute Senate Bill No. 6268 was substituted for Senate Bill No. 6268 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Schoesler, the rules were suspended, Substitute Senate Bill No. 6268 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Schoesler and Fraser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6268.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6268 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

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

Absent: Senator Padden

Excused: Senators Hargrove and Hill

SUBSTITUTE SENATE BILL NO. 6268, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6314, by Senators Fain and Mullet

Concerning county road administration and maintenance.

MOTIONS

On motion of Senator Fain, Substitute Senate Bill No. 6314 was substituted for Senate Bill No. 6314 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Fain, the rules were suspended, Substitute Senate Bill No. 6314 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fain, Lias and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6314.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6314 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hargrove and Hill

SUBSTITUTE SENATE BILL NO. 6314, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Habib, and without objection, Senator Ranker was excused.

SECOND READING

SENATE BILL NO. 6120, by Senator Mullet

Providing a registration exemption for certain vessels.

MOTIONS

On motion of Senator Mullet, Substitute Senate Bill No. 6120 was substituted for Senate Bill No. 6120 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Mullet, the rules were suspended, Substitute Senate Bill No. 6120 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and King spoke in favor of passage of the bill.

POINT OF INQUIRY

Senator Chase: "Will Senator Mullet yield to a question?"

Senator Chase: "I would like to know if these old geezers who are going to get into the kayak will be provided with a lift so they can get in and out of the kayak to use their electric paddle?"

Senator Mullet: "That is not part of the current legislation. I'm sorry."

Senator Chase: "That is an innovative suggestion for you."

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6120.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6120 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hargrove and Hill

SUBSTITUTE SENATE BILL NO. 6120, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6264, by Senators Dammeier, Conway, Bailey, Rivers, Hasegawa, O'Ban, Frockt, Schoesler, Darneille, Lias and Rolfes

Allowing certain law enforcement officers' and firefighters' plan 2 retirees to purchase annuities. Revised for 1st Substitute: Allowing certain Washington state patrol retirement system and law enforcement officers' and firefighters' members to purchase annuities.

MOTIONS

On motion of Senator Dammeier, Substitute Senate Bill No. 6264 was substituted for Senate Bill No. 6264 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dammeier, the rules were suspended, Substitute Senate Bill No. 6264 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dammeier and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6264.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6264 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hargrove and Hill

SUBSTITUTE SENATE BILL NO. 6264, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6100, by Senators Chase, Brown, Angel, Hatfield, Ericksen and McCoy

Establishing an economic gardening pilot program.

The measure was read the second time.

MOTION

Senator Chase moved that the following striking amendment no. 651 by Senators Chase and Brown be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) Washington's unemployment rate during the recent recession created economic and social hardships for the people of the state;

(b) Local start-up companies and small businesses are likely, as they grow, to remain in their communities of origin, thereby creating local jobs and an economic multiplier effect with their payrolls and taxes while providing local economic stimuli, which increases the local tax base;

(c) Statewide economic prosperity and job creation are advanced significantly by creating, promoting, and retaining local start-up companies and small businesses with high growth potential;

(d) Entrepreneurs and small business owners of second-stage companies, which are those companies that are beyond the start-up stage but have not yet fully matured, with innovative products or services that satisfy market needs, have particular potential for

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expansion and job creation;

(e) Such entrepreneurs and owners can benefit from specialized business assistance to refine core strategies and from access to in-depth market research, competitor analyses, geographic information systems, search engine optimization, and other strategic information, as well as from relationships with mentors and advisers;

(f) The aspects of economic gardening that incorporate these principles have proven successful in improving the entrepreneurial process and promoting economically sustainable local businesses; and

(g) It is important to the overall health and growth of the state's economy to promote favorable conditions for those expanding Washington businesses that demonstrate the ability to grow.

(2) In recognition of the foregoing findings and principles, it is the intent of the legislature to create a Washington economic gardening pilot project in the department of commerce.

NEW SECTION. Sec. 2. A new section is added to chapter 43.31 RCW to read as follows:

(1) There is hereby created within the department the economic gardening pilot project. The purpose of the pilot project is to stimulate Washington's economy and create good-paying, sustainable jobs by providing economic gardening strategic assistance services to second-stage companies in accordance with this section.

(2) The department must oversee and direct all resources for the execution of the pilot project. The department must work with chambers of commerce, associate development organizations, or other economic development organizations to implement the pilot project. The pilot project includes developing the processes for qualifying and selecting second-stage companies, identifying training components for economic development organizations implementing the pilot project, engaging trained and certified economic gardening private contractors as necessary, and providing economic gardening strategic assistance to companies participating in the pilot project.

(3)(a) On or before January 1, 2017, the department must initiate a program to provide or obtain all necessary credentials for high-impact strategic assistance for the economic development organizations participating in the pilot project.

(b) Prior to the date that strategic assistance is provided pursuant to this subsection (3):

(i) Economic development organizations participating in the pilot project must be certified in economic gardening by a nationally recognized certifying entity identified by the department; and

(ii) The department or economic development organizations participating in the pilot project must, as necessary, contract with trained and certified economic gardening private contractors.

(c) After pilot project staff members are certified under (b) of this subsection, the department must use the existing infrastructure of economic development organizations to promote the pilot project to second-stage companies and to those clients and referrals that show growth potential in jobs, sales, or export potential.

(4)(a) On or before January 1, 2017, the department and participating economic development organizations must publish criteria for a second-stage company to be selected to participate in the pilot project. The criteria must include job growth potential, sustainability, export potential, and a workforce comprised of at least fifty percent Washington residents. Application criteria must also include requirements for data collection, as specified by the department, to show the impacts of services provided through the pilot project. The department and participating economic development organizations must identify second-stage companies

eligible to participate by utilizing existing strategic infrastructure and by consulting with local and regional economic development partners, such as chambers of commerce associate development organizations, and other local or regional economic development entities.

(b) In order to participate in the pilot project, a company selected for participation must pay a one-time fee of seven hundred fifty dollars, which moneys must be deposited into the economic gardening pilot project fund, created in subsection (5) of this section, for reinvestment in the pilot project.

(c) On or before March 1, 2017, the department and participating economic development organizations must select a minimum of twenty companies to participate in the pilot project.

(d) The department must oversee staff members certified pursuant to (b) of this subsection or certified private contractors to deploy strategic assistance to all pilot project participants. The department and participating economic development organizations must acquire any tools necessary to provide the strategic assistance, including database licenses, permits, and economic gardening certification.

(e) A participating company has twelve months from the date that the department and participating economic development organizations select the company to participate in the pilot project to use the strategic assistance and other economic gardening services offered pursuant to the pilot project.

(5) There is hereby created in the state treasury the economic gardening pilot project fund, to be administered by the department. The fund consists of all fees received under subsection (4)(b) of this section and any moneys appropriated by the legislature for the purposes of this section. The legislature must make annual appropriations of the moneys in the fund to the department for administering the pilot project. Any moneys in the fund not appropriated must remain in the fund and may not be transferred or revert to the general fund at the end of any fiscal year.

(6) On or before November 1, 2017, and on or before November 1st each year thereafter through November 1, 2019, and in compliance with RCW 43.01.036 the department must submit a report to the economic and workforce development committees of the legislature. The report must include, at a minimum:

(a) The services offered through the pilot project's strategic assistance;

(b) The department's expenditures on strategic assistance provided to pilot project participants;

(c) The number and types of jobs created as a result of the pilot project;

(d) The increased sales as a result of the pilot project; and

(e) The value of goods or services sold outside the company's local area or state.

(7) The following definitions apply throughout this section unless the context clearly requires otherwise.

(a) "Department" means the department of commerce.

(b) "Economic gardening" means an approach to economic growth and development that emphasizes nurturing and cultivating local small businesses by providing strategic assistance to second-stage companies.

(c) "Key industry" means an industry critical to the Washington economy, as identified by the department.

(d) "Pilot project" means the economic gardening pilot project created in this section.

(e) "Second-stage company" means a privately held business that:

(i) Employs full-time at least six persons but not more than ninety-nine persons;

(ii) Has maintained its principal place of business and a majority of its employees in Washington for at least the previous two years;

(iii) Claims at least five hundred thousand dollars but not more than fifty million dollars as annual gross revenue or working capital; and

(iv) Has a product or service that is, or has the potential to be, sold outside the company's local area or state.

(f) "Strategic assistance" or "economic gardening strategic assistance" means performing high-level consulting or database research and analysis or the deployment of staff members certified under subsection (4) of this section to perform market research, develop core strategies, conduct business modeling, identify qualified sales leads, provide growth financing referrals, perform search engine optimization, utilize geographic information systems, advise on new media marketing, or assist with network analyses and innovation strategies.

(8) The pilot project created in this section terminates July 1, 2019.

(9) This section expires July 1, 2020."

On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "adding a new section to chapter 43.31 RCW; creating a new section; and providing an expiration date."

Senator Chase spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the striking amendment no. 651 by Senators Chase and Brown to Senate Bill No. 6100.

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

MOTION

On motion of Senator Chase, the rules were suspended, Engrossed Senate Bill No. 6100 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Chase and Brown spoke in favor of passage of the bill.

MOTION

On motion of Senator Liias, and without objection, Senator Pedersen was excused.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6100.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6100 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 1; Absent, 0; Excused, 3.

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

Voting nay: Senator Liias

Excused: Senators Hargrove, Hill and Pedersen

ENGROSSED SENATE BILL NO. 6100, having received the

constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5778, by Senators Becker, Frockt, Keiser, Bailey, Dammeier, Liias, Hatfield, Angel, Dansel, King, Baumgartner, Brown, Cleveland, Warnick, Honeyford, Parlette, Hill, Rivers, Fain, Braun, Litzow, Conway, Sheldon, Ericksen and Hewitt

Concerning ambulatory surgical facilities.

MOTIONS

On motion of Senator Becker, Substitute Senate Bill No. 5778 was substituted for Senate Bill No. 5778 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Becker, the rules were suspended, Substitute Senate Bill No. 5778 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker, Frockt, Bailey and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5778.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5778 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hargrove and Hill

SUBSTITUTE SENATE BILL NO. 5778, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

THIRD READING

SUBSTITUTE SENATE BILL NO. 5670, by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Braun, Chase, Kohl-Welles, Sheldon, Hatfield, Rivers, Bailey, Dansel, Ericksen, Becker and Hewitt)

Clarifying expenditures under the state universal communications services program.

The bill was read on Third Reading.

Voting nay: Senators Frockt, Habib, Jayapal, Lias and McCoy

Senator Braun spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5670.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5670 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 10; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Habib, Hasegawa, Hewitt, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, O'Ban, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Carlyle, Chase, Darneille, Frockt, Jayapal, Lias, Mullet, Nelson, Pedersen and Rolfes

Excused: Senators Hargrove and Hill

SUBSTITUTE SENATE BILL NO. 5670, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SENATE BILL NO. 6165, by Senators Takko, Pearson, Sheldon and Benton

Concerning short-barreled rifles.

MOTIONS

On motion of Senator Takko, Substitute Senate Bill No. 6165 was substituted for Senate Bill No. 6165 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Takko, the rules were suspended, Substitute Senate Bill No. 6165 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko, Padden and Sheldon spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6165.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6165 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6165, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6248, by Senators Ericksen and Ranker

Concerning risk mitigation plans to promote the transition of eligible coal units. Revised for 1st Substitute: Concerning risk mitigation plans to promote the transition of eligible coal units. (REVISED FOR ENGROSSED: Regarding a pathway for a transition of eligible coal units.)

MOTION

On motion of Senator Ericksen, Substitute Senate Bill No. 6248 was substituted for Senate Bill No. 6248 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Ericksen moved that the following striking amendment no. 653 by Senators Ericksen and Ranker be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Eligible coal plant" means a coal-fired electric generation facility that: (a) Had two or fewer generating units as of January 1, 1980, and four generating units as of January 1, 2016; (b) is owned by more than one electrical company as of January 1, 2016; and (c) provides, as a portion of the load served by the coal-fired electric generation facility, electricity paid for in rates by customers in the state of Washington.

(2) "Eligible coal unit" means any generating unit of an eligible coal plant.

NEW SECTION. Sec. 2. (1) The commission may, after conducting an adjudicative proceeding under chapters 34.05 and 80.04 RCW, authorize an electrical company to place amounts from one or more regulatory liabilities into a retirement account established pursuant to RCW 80.04.350 to cover decommissioning and remediation costs of eligible coal units that commenced commercial operations before January 1, 1980.

(2) Regulatory liabilities placed in a retirement account pursuant to subsection (1) of this section must: (a) Not be used for any purpose other than the funding and recovery of prudently incurred decommissioning and remediation costs for such eligible coal units; (b) except as provided in RCW 80.04.350, not be reduced, altered, impaired, or limited from the date of commission approval of the inclusion of the regulatory liabilities in the retirement account until all prudently incurred decommissioning and remediation costs for such coal units are recovered or paid in full; and (c) provide that any remaining funds in the retirement account, after recovery by the electrical company of all prudently incurred decommissioning and remediation costs for such eligible coal units, be returned to customers.

NEW SECTION. Sec. 3. (1) If an electrical company proposes a closure date or retires from service an eligible coal unit that commenced commercial operations before January 1, 1980,

prior to December 31, 2022, then the commission may not authorize the electrical company to use regulatory liabilities placed in a retirement account for decommissioning and remediation costs pursuant to section 2 of this act.

(2) Subsection (1) of this section does not apply if an electrical company demonstrates to the commission that a decision to retire from service an eligible coal unit that commenced commercial operations before January 1, 1980, prior to December 31, 2022:

(a) Is prudent as determined by evidence showing the continued operation of an eligible coal unit is economically or technologically unfeasible or requires a capital investment that is outside the scope of a prudent improvement or investment or the eligible coal unit has reached the end of its useful life; or

(b) Does not meet the standard in (a) of this subsection but is attributable to the actions of a co-owner or operator of the eligible coal unit over whom the electrical company does not exercise control.

NEW SECTION. Sec. 4. Sections 1 through 3 of this act constitute a new chapter in Title 80 RCW."

On page 1, beginning on line 1 of the title, after "Relating to" strike the remainder of the title and insert "a pathway for a transition of eligible coal units; and adding a new chapter to Title 80 RCW."

Senator Ericksen spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the striking amendment no. 653 by Senators Ericksen and Ranker to Substitute Senate Bill No. 6248.

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

MOTION

On motion of Senator Ericksen, the rules were suspended, Engrossed Substitute Senate Bill No. 6248 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ericksen, Ranker, Rolfes and McCoy spoke in favor of passage of the bill.

Senator Sheldon spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6248.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6248 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Benton, Billig, Braun, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hill, Hobbs, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Roach, Rolfes, Schoesler, Takko and Warnick

Voting nay: Senators Becker, Brown, Hewitt, Honeyford, Padden, Rivers and Sheldon

ENGROSSED SUBSTITUTE SENATE BILL NO. 6248, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Fraser announced a meeting of the Democratic Caucus

immediately upon going at ease.

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

MOTION

At 11:32 a.m., on motion of Senator Fain, and without objection, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 12:51 p.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

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

MESSAGE FROM THE HOUSE

February 16, 2016

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1512,

HOUSE BILL NO. 1561,

ENGROSSED HOUSE BILL NO. 1578,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL

NO. 2061,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL

NO. 2346,

HOUSE BILL NO. 2356,

HOUSE BILL NO. 2388,

SUBSTITUTE HOUSE BILL NO. 2427,

SUBSTITUTE HOUSE BILL NO. 2441,

SECOND ENGROSSED SUBSTITUTE HOUSE BILL

NO. 2778,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL

NO. 2793,

HOUSE BILL NO. 2856,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

INTRODUCTION OF GUESTS

The President welcomed and introduced representatives of The Arc of Tri Cities, the Benton-Franklin Parent Coalition, People First of the Tri-Cities, Developmental Disabilities Voices, and parents and advocates of the developmentally disabled community from Dayton, Washington, guests of Senator Brown, who were recognized by the Senate and were seated in the gallery.

MOTION

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

SECOND READING

SENATE BILL NO. 6430, by Senators Parlette, Darneille,

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O'Ban and Conway

Providing continuity of care for recipients of medical assistance during periods of incarceration.

MOTIONS

On motion of Senator Parlette, Substitute Senate Bill No. 6430 was substituted for Senate Bill No. 6430 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Parlette, the rules were suspended, Substitute Senate Bill No. 6430 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Parlette spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6430.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6430 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6430, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6491, by Senators Pedersen and Roach

Concerning apostille or other signature or attestation services by the secretary of state.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Senate Bill No. 6491 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6491.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6491 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker,

Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SENATE BILL NO. 6491, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6243, by Senators Litzow, Fain, McAuliffe, Dammeier, Rivers, O'Ban, Bailey, Hill, Warnick, Becker, Hewitt, Keiser, Carlyle, Darneille, Rolfes, Conway and Mullet

Concerning a training program for educators and parents to develop students' social and emotional skills to help prevent youth suicide. Revised for 2nd Substitute: Regarding a training program for educators and parents concerning students' mental health.

MOTIONS

On motion of Senator Litzow, Second Substitute Senate Bill No. 6243 was substituted for Senate Bill No. 6243 and the second substitute bill was placed on the second reading and read the second time.

On motion of Senator Litzow, the rules were suspended, Second Substitute Senate Bill No. 6243 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Litzow, McCoy, McAuliffe and Lias spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6243.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6243 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SECOND SUBSTITUTE SENATE BILL NO. 6243, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6536, by Senator Becker

Addressing the filing and rating of group health benefit plans other than small group plans, all stand-alone dental plans, and

stand-alone vision plans by disability insurers, health care service contractors, and health maintenance organizations.

MOTIONS

On motion of Senator Becker, Substitute Senate Bill No. 6536 was substituted for Senate Bill No. 6536 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Becker, the rules were suspended, Substitute Senate Bill No. 6536 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker, Cleveland and Keiser spoke in favor of passage of the bill.

MOTION

Senator Fain demanded that the previous question be put.

The President declared that at least two additional senators joined the demand and the demand was sustained.

MOTION

Senator Lias demanded a roll call vote.

The President declared that at least one-sixth of the Senate joined the demand and the demand was sustained.

The President declared the question before the Senate to be, "Shall the main question be now put?"

ROLL CALL

The Secretary called the roll on the motion that the previous question be put and the motion by Senator Fain carried by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

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

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Lias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6536.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6536 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator Frockt

SUBSTITUTE SENATE BILL NO. 6536, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6455, by Senators Dammeier, Rolfes, Litzow, Billig, Rivers, Conway and McAuliffe

Expanding the professional educator workforce by increasing career opportunities in education, creating a more robust enrollment forecasting, and enhancing recruitment efforts.

MOTION

On motion of Senator Dammeier, Second Substitute Senate Bill No. 6455 was substituted for Senate Bill No. 6455 and the second substitute bill was placed on the second reading and read the second time.

MOTION

Senator Dammeier moved that the following amendment no. 586 by Senators Dammeier and Rolfes be adopted:

On page 10, line 15, after "(8)" strike "Identify" and insert "Except as provided in section 402 of this act, identify"

On page 10, at the beginning of line 24, strike all material through "state" on line 29 and insert "if the teacher holds a valid teaching certificate issued by the national board for professional teaching standards"

On page 11, after line 14, insert the following:

"NEW SECTION. Sec. 402. A new section is added to chapter 28A.410 RCW to read as follows:

In addition to the requirements in RCW 28A.410.250(8), a professional certificate must be issued to a teacher if:

(1) The teacher has a continuing or advanced level certificate from another state, or that state's equivalent, issued by the other state; or

(2) The teacher has a continuing or advanced level certificate that allows the individual to teach internationally.

NEW SECTION. Sec. 403. A new section is added to chapter 43.131 RCW to read as follows:

The professional certification standards for out-of-state teachers, as established in section 402 of this act, are terminated on June 30, 2021, as provided in section 404 of this act.

NEW SECTION. Sec. 404. A new section is added to chapter 43.131 RCW to read as follows:

Section 402 of this act, as now existing or hereafter amended, is repealed, effective June 30, 2022."

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

On page 1, line 6 of the title, after "RCW;" strike "creating new sections;" and insert "adding a new section to chapter 28A.410 RCW; adding new sections to chapter 43.131 RCW; creating new sections; providing an effective date;"

Senator Dammeier spoke in favor of adoption of the amendment.

MOTION

Senator McAuliffe moved that the following amendment no. 594 by Senators McAuliffe and Chase to the amendment be adopted:

Beginning on page 1, line 1 of the amendment, strike the remainder of the amendment and insert the following:

"On page 10, beginning on line 27, after "a" strike all material through "state" on line 29 and insert "second-level teacher certificate from another state that is equivalent to Washington's professional certification as determined by the professional"

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educator standards board."

Senators McAuliffe, Liias, Mullet and Rolfes spoke in favor of adoption of the amendment.

Senator Dammeier spoke against adoption of the amendment.

MOTION

Senator Liias demanded a roll call vote.

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

The President declared the question before the Senate to be the adoption of the amendment no. 594 by Senators McAuliffe and Chase on page 1, line 1, to the amendment no. 586 to Second Substitute Senate Bill No. 6455.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 594 by Senators McAuliffe and Chase and the amendment was not adopted by the following vote: Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

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

The President declared the question before the Senate to be the adoption of amendment no. 586 by Senators Dammeier and Rolfes on page 10, line 15 to Second Substitute Senate Bill No. 6455.

The motion by Senator Dammeier carried and amendment no. 586 was adopted by voice vote.

The President Pro Tempore assumed the chair, Senator Roach presiding.

WITHDRAWAL OF AMENDMENT

On motion of Senator Liias, and without objection, amendment no. 630 by Senator Liias on page 11, line 37 to Second Substitute Senate Bill No. 6455 was withdrawn.

MOTION

Senator McAuliffe moved that the following amendment no. 631 by Senators McAuliffe and Rolfes be adopted:

On page 11, after line 37, insert the following:

"PART V

PROFESSIONAL LEARNING DAYS

"NEW SECTION. Sec. 501. The legislature finds that the Washington state institute for public policy reported that content-specific professional development is much more effective than general training. The goal of the legislature is to provide a sufficient number of professional learning days necessary to meet the needs in Washington's schools and to designate the professional learning days to be part of basic education.

Sec. 502. RCW 28A.150.200 and 2009 c 548 s 101 are each amended to read as follows:

(1) The program of basic education established under this chapter is deemed by the legislature to comply with the

requirements of Article IX, section 1 of the state Constitution, which states that "It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex," and is adopted pursuant to Article IX, section 2 of the state Constitution, which states that "The legislature shall provide for a general and uniform system of public schools."

(2) The legislature defines the program of basic education under this chapter as that which is necessary to provide the opportunity to develop the knowledge and skills necessary to meet the state-established high school graduation requirements that are intended to allow students to have the opportunity to graduate with a meaningful diploma that prepares them for postsecondary education, gainful employment, and citizenship. Basic education by necessity is an evolving program of instruction intended to reflect the changing educational opportunities that are needed to equip students for their role as productive citizens and includes the following:

(a) The instructional program of basic education the minimum components of which are described in RCW 28A.150.220;

(b) The program of education provided by chapter 28A.190 RCW for students in residential schools as defined by RCW 28A.190.020 and for juveniles in detention facilities as identified by RCW 28A.190.010;

(c) The program of education provided by chapter 28A.193 RCW for individuals under the age of eighteen who are incarcerated in adult correctional facilities; ((and))

(d) Transportation and transportation services to and from school for eligible students as provided under RCW 28A.160.150 through 28A.160.180; and

(e) Professional learning days as provided under section 503 of this act.

NEW SECTION. Sec. 503. A new section is added to chapter 28A.150 RCW to read as follows:

(1) Subject to funds appropriated for this purpose:

(a) Beginning in the 2016-17 school year, the legislature shall annually provide additional time and resources for high quality, content-specific, professional learning days for each state-funded certificated instructional staff, paraeducator, and school building-based administrator to increase knowledge and skills in the areas of current and future educational reforms. The minimum funding for a professional learning day must be equivalent to the aggregate amount provided for the state-funded salaries for each certificated instructional staff, paraeducator, and school-based administrator in the school district for one full school day. School districts must be required to expend the funds on professional learning activities but the learning is not required to be accomplished in one full school day and it may be organized in whatever time blocks the district chooses so long as the total time equates to one full school day. The learning improvement day must take place outside of the minimum one hundred eighty-day school calendar.

(b) For the 2016-17 school year, the funds provided for a professional learning day must be used for professional development that addresses either the school district or individual building goals.

(2) The superintendent of public instruction shall adopt rules to implement this section.

(3) The funding provided under this section shall be deemed to be part of the legislature's definition of basic education under Article IX of the state Constitution."

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

On page 1, line 4 of the title, after "28A.660.050," strike "and 28A.410.250" and insert "28A.410.250, and 28A.150.200"

On page 1, line 6 of the title, after "RCW;" insert "adding a new section to chapter 28A.150 RCW;"

Senator McAuliffe spoke in favor of adoption of the amendment.

Senator Dammeier spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 631 by Senators McAuliffe and Rolfes on page 11, after line 37 to Second Substitute Senate Bill No. 6455.

The motion by Senator McAuliffe failed and amendment no. 631 was not adopted by voice vote.

MOTION

Senator Rolfes moved that the following amendment no. 632 by Senator Rolfes be adopted:

On page 11, after line 37, insert the following:

"PART V

TEACHER MENTORING

NEW SECTION. Sec. 501. (1) The sum of five million dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2017, from the education legacy trust account to the superintendent of public instruction for a beginning educator support program.

(2) The appropriation in this section is provided solely for a beginning educator support program. The program shall prioritize first year teachers in the mentoring program. Either school districts, or regional consortia, or both may apply for grant funding.

(3) The program provided by either a district, or a regional consortia, or both shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning teacher aligned with professional certification; release time for mentors and new teachers to work together; and teacher observation time with accomplished peers. Funding may be used to provide statewide professional development opportunities for mentors and beginning educators."

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

On page 1, line 6 of the title, after "sections;" insert "making an appropriation;"

Senator Rolfes spoke in favor of adoption of the amendment.
Senator Dammeier spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 632 by Senator Rolfes on page 11, after line 37 to Second Substitute Senate Bill No. 6455.

The motion by Senator Rolfes failed and amendment no. 632 was not adopted by voice vote.

MOTION

Senator Rolfes moved that the following amendment no. 633 by Senator Rolfes be adopted:

On page 11, after line 37, insert the following:

"PART V

TEACHER SALARIES

NEW SECTION. Sec. 501. (1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in RCW 28A.150.380 and under section 502, chapter 4, Laws of 2015 3rd sp. sess.:

(a) Salary allocations for certificated instructional staff units are determined for each district by multiplying the district's certificated instructional total base salary from section 503 of this act by the district's average staff mix factor for certificated instructional staff in that school year, computed using the table of staff mix factors for certificated instructional staff in section 502 of this act; and

(b) Salary allocations for certificated administrative staff units and classified staff units for each district are determined based on the district's certificated administrative and classified salary allocation amounts from section 503 of this act.

(2) Incremental fringe benefit factors are applied to salary adjustments at a rate of 20.78 percent for school year 2016-17 for certificated instructional and certificated administrative staff and 19.22 percent for the 2016-17 school year for classified staff.

(3)(a) Pursuant to RCW 28A.150.410, the following statewide salary allocation schedule for certificated instructional staff is established for basic education salary allocations:

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2016-17

*** Education Experience ***

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 OR Ph.D.
0	40,000	40,400	40,804	41,212	42,296	44,385	43,229	46,474	48,566
1	40,400	40,804	41,212	41,624	42,886	44,964	43,710	46,988	49,066
2	40,804	41,212	41,624	42,040	43,441	45,541	44,194	47,463	49,564
3	41,212	41,624	42,040	42,461	43,968	46,119	44,652	47,938	50,065
4	41,624	42,040	42,461	42,885	44,545	46,713	45,133	48,417	50,583
5	42,040	42,461	42,885	43,314	45,099	47,309	45,622	48,901	51,103
6	42,461	42,885	43,314	43,747	45,656	47,878	46,123	49,390	51,614
7	42,885	43,314	43,747	44,185	46,680	48,963	47,061	50,362	52,646
8	43,314	43,747	44,185	44,854	48,201	50,569	48,537	51,885	54,251
9		44,185	44,756	46,347	49,773	52,220	50,028	53,455	55,904
10			46,210	47,916	51,388	53,917	51,599	55,071	57,599
11				49,531	53,079	55,658	53,214	56,762	59,341
12				51,096	54,815	57,472	54,894	58,497	61,156
13					56,593	59,329	56,631	60,276	63,012
14					58,381	61,258	58,420	62,181	64,940
15					59,900	62,851	59,938	63,797	66,629

16 or more	61,098	64,107	61,137	65,073	67,961
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(b) As used in this section, the column headings "BA+(N)" refer to the number of credits earned since receiving the baccalaureate degree.

(c) For credits earned after the baccalaureate degree but before the masters degree, any credits in excess of forty-five credits may be counted after the masters degree. Thus, as used in this subsection, the column headings "MA+(N)" refer to the total of:

- (i) Credits earned since receiving the masters degree; and
- (ii) Any credits in excess of forty-five credits that were earned after the baccalaureate degree but before the masters degree.

(4) For the purposes of this section:

- (a) "BA" means a baccalaureate degree.
- (b) "MA" means a masters degree.
- (c) "PHD" means a doctorate degree.

(d) "Years of service" are calculated under the same rules adopted by the superintendent of public instruction.

(e) "Credits" means college quarter hour credits and equivalent

in-service credits computed in accordance with RCW 28A.415.020 and 28A.415.023.

(5) No more than ninety college quarter-hour credits received by any employee after the baccalaureate degree may be used to determine compensation allocations under the state salary allocation schedule established in this section and sections 502 and 503 of this act, or any replacement schedules and documents, unless:

- (a) The employee has a masters degree; or
- (b) The credits were used in generating state salary allocations before January 1, 1992.

(6) The salary allocation schedule established in this section is for allocation purposes only except as provided in RCW 28A.400.200(2).

NEW SECTION. Sec. 502. The staff mix factors for certificated instructional staff according to education and years of experience shall be as follows:

Table of Staff Mix Factors For Certificated Instructional Staff

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 OR Ph.D.
0	1.00000	1.01000	1.02010	1.03030	1.05739	1.10964	1.08073	1.16185	1.21415
1	1.01000	1.02010	1.03030	1.04060	1.07214	1.12410	1.09274	1.17471	1.22665
2	1.02010	1.03030	1.04060	1.05101	1.08603	1.13852	1.10484	1.18657	1.23909
3	1.03030	1.04060	1.05101	1.06152	1.09921	1.15297	1.11630	1.19844	1.25162
4	1.04060	1.05101	1.06152	1.07214	1.11363	1.16781	1.12832	1.21042	1.26457
5	1.05101	1.06152	1.07214	1.08286	1.12746	1.18274	1.14054	1.22253	1.27757
6	1.06152	1.07214	1.08286	1.09369	1.14140	1.19695	1.15307	1.23475	1.29035
7	1.07214	1.08286	1.09369	1.10462	1.16700	1.22407	1.17652	1.25904	1.31616
8	1.08286	1.09369	1.10462	1.12135	1.20503	1.26422	1.21341	1.29712	1.35628
9		1.10462	1.11890	1.15867	1.24432	1.30550	1.25071	1.33638	1.39759
10			1.15524	1.19791	1.28469	1.34792	1.28997	1.37678	1.43998
11				1.23829	1.32696	1.39145	1.33035	1.41905	1.48351
12				1.27740	1.37037	1.43680	1.37234	1.46243	1.52889
13					1.41483	1.48324	1.41577	1.50689	1.57530
14					1.45953	1.53144	1.46051	1.55452	1.62350
15					1.49750	1.57128	1.49846	1.59492	1.66572
16 or more					1.52745	1.60267	1.52843	1.62683	1.69902

NEW SECTION. Sec. 503. The school year salary allocations for certificated administrative staff and classified staff and

derived and total base salaries for certificated instructional staff shall be as follows:

Base Salary Allocations for School Year 2016-17

School District	Certificated Instructional Staff	Administrative Staff	Classified Staff
01 109 Washtucna	40,000	69,442	33,746
01 122 Benge	40,000	61,409	34,327
01 147 Othello	40,000	61,409	33,746
01 158 Lind	40,000	76,812	33,746
01 160 Ritzville	40,000	66,389	33,785
02 250 Clarkston	40,000	62,531	33,746
02 420 Asotin-Anatone	40,000	61,409	33,746
03 017 Kennewick	40,000	61,409	33,746
03 050 Paterson	40,000	61,409	33,746
03 052 Kiona-Benton City	40,000	65,336	33,746
03 053 Finley	40,000	63,892	33,746
03 116 Prosser	40,000	66,529	33,746
03 400 Richland	40,000	62,319	33,746
04 019 Manson	40,000	69,107	33,746
04 069 Stehekin	40,000	70,749	33,746

04 127 Entiat	40,000	81,630	33,746
04 129 Lake Chelan	40,588	61,409	33,945
04 222 Cashmere	40,000	74,282	33,746
04 228 Cascade	40,000	66,891	33,746
04 246 Wenatchee	40,000	64,820	33,746
05 121 Port Angeles	40,000	65,528	33,746
05 313 Crescent	40,000	67,655	33,746
05 323 Sequim	40,000	61,409	33,746
05 401 Cape Flattery	40,000	65,705	33,746
05 402 Quillayute Valley	40,000	63,851	33,746
06 037 Vancouver	40,000	65,106	33,746
06 098 Hockinson	40,000	66,247	33,746
06 101 La Center	40,000	67,123	33,746
06 103 Green Mountain	40,000	84,747	33,746
06 112 Washougal	40,000	61,409	33,830
06 114 Evergreen (Clark)	40,000	61,409	33,746
06 117 Camas	40,000	69,013	33,845
06 119 Battle Ground	40,000	63,802	33,746
06 122 Ridgefield	40,000	67,060	33,746
07 002 Dayton	40,000	61,409	33,746
07 035 Starbuck	40,000	61,409	33,746
08 122 Longview	40,000	61,409	33,746
08 130 Toutle Lake	40,000	72,592	33,915
08 401 Castle Rock	40,000	61,409	34,425
08 402 Kalama	40,000	62,444	33,746
08 404 Woodland	40,000	62,597	33,746
08 458 Kelso	40,000	61,720	33,746
09 013 Orondo	41,904	61,409	33,746
09 075 Bridgeport	40,000	67,079	34,154
09 102 Palisades	40,000	61,409	33,746
09 206 Eastmont	40,000	65,020	33,746
09 207 Mansfield	40,000	81,570	34,179
09 209 Waterville	40,000	62,709	33,746
10 003 Keller	40,000	61,409	33,746
10 050 Curlew	40,000	81,555	33,746
10 065 Orient	40,000	75,603	33,746
10 070 Inchelium	40,000	71,089	33,746
10 309 Republic	40,000	61,409	33,746
11 001 Pasco	40,000	61,499	33,750
11 051 North Franklin	40,000	63,316	33,746
11 054 Star	40,000	61,409	33,746
11 056 Kahlotus	40,000	61,774	33,746
12 110 Pomeroy	40,000	67,949	33,812
13 073 Wahluke	40,000	73,481	33,746
13 144 Quincy	40,000	62,609	33,760
13 146 Warden	40,000	65,060	33,746
13 151 Coulee-Hartline	40,000	69,837	33,746
13 156 Soap Lake	40,000	61,409	33,746
13 160 Royal	40,000	62,230	33,746
13 161 Moses Lake	40,000	62,984	33,746
13 165 Ephrata	40,000	61,409	33,746
13 167 Wilson Creek	40,000	87,003	33,746
13 301 Grand Coulee Dam	40,000	61,409	33,746
14 005 Aberdeen	40,000	62,463	33,746
14 028 Hoquiam	40,000	64,876	33,746
14 064 North Beach	40,000	71,107	33,746
14 065 McCleary	40,000	66,388	35,060
14 066 Montesano	40,000	62,032	33,746
14 068 Elma	40,000	62,030	34,786
14 077 Taholah	40,000	79,394	33,746
14 097 Quinalt	40,000	62,705	33,998
14 099 Cosmopolis	40,000	62,232	33,746
14 104 Satsop	40,000	61,409	33,746
14 117 Wishkah Valley	40,000	79,382	34,633
14 172 Ocosta	40,000	61,646	33,950
14 400 Oakville	40,000	85,208	34,809

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15 201 Oak Harbor	40,260	61,409	33,746
15 204 Coupeville	40,000	61,409	33,746
15 206 South Whidbey	40,000	62,181	34,151
16 020 Queets-Clearwater	40,000	64,029	33,997
16 046 Brinnon	40,000	61,409	33,746
16 048 Quilcene	40,000	85,822	33,746
16 049 Chimacum	40,000	63,969	34,498
16 050 Port Townsend	40,000	61,409	33,746
17 001 Seattle	40,269	63,466	38,948
17 210 Federal Way	40,000	61,409	33,746
17 216 Enumclaw	40,000	61,541	33,746
17 400 Mercer Island	40,000	66,951	34,028
17 401 Highline	40,000	66,153	33,746
17 402 Vashon Island	40,000	68,756	33,746
17 403 Renton	40,000	61,918	33,746
17 404 Skykomish	40,000	89,342	33,951
17 405 Bellevue	40,000	64,844	36,544
17 406 Tukwila	40,000	74,180	33,746
17 407 Riverview	40,000	65,993	33,746
17 408 Auburn	40,000	61,409	33,746
17 409 Tahoma	40,000	61,409	33,922
17 410 Snoqualmie Valley	40,000	61,409	33,746
17 411 Issaquah	40,000	63,192	33,746
17 412 Shoreline	40,000	66,836	35,402
17 414 Lake Washington	40,000	64,774	33,746
17 415 Kent	40,000	61,409	33,746
17 417 Northshore	41,662	61,409	34,221
18 100 Bremerton	40,000	62,384	34,944
18 303 Bainbridge Island	40,000	64,226	33,746
18 400 North Kitsap	40,000	61,615	34,252
18 401 Central Kitsap	40,000	61,409	33,746
18 402 South Kitsap	40,000	62,927	33,863
19 007 Dammann	40,000	61,409	33,746
19 028 Easton	40,000	61,409	33,746
19 400 Thorp	40,000	61,529	34,618
19 401 Ellensburg	40,000	62,795	33,746
19 403 Kittitas	40,000	62,891	33,746
19 404 Cle Elum-Roslyn	40,000	66,090	33,750
20 094 Wishram	40,000	76,562	33,746
20 203 Bickleton	40,000	76,517	33,746
20 215 Centerville	40,000	61,409	33,746
20 400 Trout Lake	40,000	67,659	33,746
20 401 Glenwood	40,000	68,152	33,746
20 402 Klickitat	40,000	74,046	33,746
20 403 Roosevelt	40,000	61,409	33,746
20 404 Goldendale	40,000	61,409	33,746
20 405 White Salmon	40,000	69,268	33,746
20 406 Lyle	40,000	69,558	33,746
21 014 Napavine	40,000	71,146	33,805
21 036 Evaline	40,000	61,409	33,746
21 206 Mossyrock	40,000	68,287	33,746
21 214 Morton	40,000	65,950	33,991
21 226 Adna	40,000	71,907	33,746
21 232 Winlock	40,000	64,577	33,746
21 234 Boistfort	40,000	63,624	33,746
21 237 Toledo	40,000	64,126	33,746
21 300 Onalaska	40,000	62,926	33,746
21 301 Pe Ell	40,000	70,620	34,387
21 302 Chehalis	40,000	61,409	33,746
21 303 White Pass	40,000	61,993	33,746
21 401 Centralia	40,000	66,793	33,746
22 008 Sprague	40,000	69,973	33,887
22 009 Reardan-Edwall	40,000	62,815	33,746
22 017 Almira	40,000	79,678	33,746
22 073 Creston	40,000	79,036	33,746

22 105 Odessa	40,000	66,151	33,746
22 200 Wilbur	40,000	75,994	33,746
22 204 Harrington	40,000	89,342	33,746
22 207 Davenport	40,000	67,284	33,746
23 042 Southside	40,604	61,409	33,746
23 054 Grapeview	40,000	66,495	33,746
23 309 Shelton	40,000	64,192	33,857
23 311 Mary M. Knight	40,000	78,659	34,317
23 402 Pioneer	40,000	61,409	33,746
23 403 North Mason	40,000	61,409	33,769
23 404 Hood Canal	40,000	64,121	35,035
24 014 Nespelem	40,000	72,100	33,746
24 019 Omak	40,000	66,742	33,746
24 105 Okanogan	40,000	63,182	34,146
24 111 Brewster	40,000	62,457	33,819
24 122 Pateros	40,000	62,739	33,746
24 350 Methow Valley	40,000	75,723	33,954
24 404 Tonasket	40,000	64,600	33,746
24 410 Oroville	40,000	61,910	34,441
25 101 Ocean Beach	40,000	69,234	33,746
25 116 Raymond	40,000	63,945	33,746
25 118 South Bend	40,000	61,409	33,746
25 155 Naselle-Grays River Valley	40,000	73,314	33,746
25 160 Willapa Valley	40,000	61,409	33,746
25 200 North River	40,000	69,941	33,746
26 056 Newport	40,000	61,481	33,746
26 059 Cusick	40,000	77,582	33,746
26 070 Selkirk	40,000	61,409	33,746
27 001 Steilacoom Historical	40,000	63,520	33,933
27 003 Puyallup	40,806	61,409	33,746
27 010 Tacoma	40,000	61,409	37,018
27 019 Carbonado	40,000	74,990	33,746
27 083 University Place	40,000	61,409	33,746
27 320 Sumner	40,000	62,688	33,746
27 343 Dieringer	40,000	67,168	33,746
27 344 Orting	40,000	63,223	33,746
27 400 Clover Park	40,000	62,891	33,746
27 401 Peninsula	40,000	64,470	33,762
27 402 Franklin Pierce	40,000	66,470	33,746
27 403 Bethel	40,000	63,371	33,746
27 404 Eatonville	40,000	61,409	33,746
27 416 White River	40,000	61,448	33,746
27 417 Fife	40,000	64,145	33,746
28 010 Shaw Island	40,763	61,409	35,720
28 137 Orcas Island	40,000	61,409	33,834
28 144 Lopez Island	40,435	66,467	33,746
28 149 San Juan Island	40,000	65,050	33,746
29 011 Concrete	40,000	67,624	33,746
29 100 Burlington-Edison	40,000	62,159	33,746
29 101 Sedro-Woolley	40,000	61,409	33,849
29 103 Anacortes	40,000	63,341	33,746
29 311 La Conner	40,000	69,634	33,746
29 317 Conway	40,000	66,352	33,746
29 320 Mount Vernon	40,000	61,409	33,746
30 002 Skamania	40,000	77,447	35,933
30 029 Mount Pleasant	40,000	61,409	37,291
30 031 Mill A	40,000	61,409	34,246
30 303 Stevenson-Carson	40,000	62,192	33,746
31 002 Everett	41,985	66,227	35,519
31 004 Lake Stevens	40,000	68,649	33,746
31 006 Mukilteo	40,478	64,946	33,746
31 015 Edmonds	40,000	63,968	33,746
31 016 Arlington	40,000	62,115	33,746
31 025 Marysville	41,542	61,602	33,746
31 063 Index	40,000	61,409	33,746
31 103 Monroe	40,000	63,971	33,746

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31 201 Snohomish	40,000	65,304	33,746
31 306 Lakewood	40,000	61,409	33,746
31 311 Sultan	40,000	61,409	33,746
31 330 Darrington	40,000	71,576	33,746
31 332 Granite Falls	40,000	61,528	33,746
31 401 Stanwood	40,000	61,409	33,746
32 081 Spokane	40,000	61,409	33,746
32 123 Orchard Prairie	40,000	61,409	33,746
32 312 Great Northern	40,000	61,409	33,746
32 325 Nine Mile Falls	40,000	67,776	33,746
32 326 Medical Lake	40,000	61,409	33,746
32 354 Mead	40,000	61,409	33,746
32 356 Central Valley	40,000	61,409	34,107
32 358 Freeman	40,000	61,409	33,804
32 360 Cheney	40,000	63,039	33,746
32 361 East Valley (Spokane)	40,000	61,409	33,746
32 362 Liberty	40,000	63,787	33,746
32 363 West Valley (Spokane)	40,000	67,392	33,746
32 414 Deer Park	40,000	62,846	33,746
32 416 Riverside	40,000	63,133	33,746
33 030 Onion Creek	40,000	61,409	33,746
33 036 Chewelah	40,000	61,409	34,377
33 049 Wellpinit	40,000	79,320	33,746
33 070 Valley	40,000	68,263	33,746
33 115 Colville	40,000	61,409	33,746
33 183 Loon Lake	40,000	61,409	33,746
33 202 Summit Valley	40,000	61,409	33,746
33 205 Evergreen (Stevens)	40,000	61,409	33,746
33 206 Columbia (Stevens)	40,000	89,342	33,746
33 207 Mary Walker	40,000	68,836	33,746
33 211 Northport	40,000	72,946	33,746
33 212 Kettle Falls	40,000	61,409	34,051
34 002 Yelm	40,000	65,047	33,746
34 003 North Thurston	40,000	61,561	33,746
34 033 Tumwater	40,000	65,364	33,746
34 111 Olympia	40,000	63,397	33,763
34 307 Rainier	40,000	65,333	33,746
34 324 Griffin	40,000	61,409	33,746
34 401 Rochester	40,000	61,409	33,746
34 402 Tenino	40,000	61,409	33,746
35 200 Wahkiakum	40,000	61,409	33,746
36 101 Dixie	40,000	67,431	33,746
36 140 Walla Walla	40,000	61,818	33,746
36 250 College Place	40,000	63,159	33,746
36 300 Touchet	40,000	63,620	33,746
36 400 Columbia (Walla Walla)	40,000	61,409	33,746
36 401 Waitsburg	40,000	74,918	33,746
36 402 Prescott	40,000	72,876	34,997
37 501 Bellingham	40,000	62,056	33,746
37 502 Ferndale	40,000	64,581	33,746
37 503 Blaine	40,000	64,768	34,164
37 504 Lynden	40,000	61,409	33,746
37 505 Meridian	40,000	61,409	33,746
37 506 Nooksack Valley	40,000	61,409	33,766
37 507 Mount Baker	40,000	61,409	33,746
38 126 Lacrosse	40,000	73,899	34,126
38 264 Lamont	40,000	68,984	33,746
38 265 Tekoa	40,000	82,390	33,746
38 267 Pullman	40,000	61,409	33,923
38 300 Colfax	40,000	61,781	33,746
38 301 Palouse	40,000	73,282	34,128
38 302 Garfield	40,000	71,724	33,746
38 304 Steptoe	40,000	61,409	34,209
38 306 Colton	40,000	74,267	33,746
38 308 Endicott	40,000	82,420	33,746

38 320 Rosalia	40,000	77,733	33,804
38 322 St. John	40,000	89,342	33,746
38 324 Oakesdale	40,000	80,400	33,746
39 002 Union Gap	40,000	67,912	33,746
39 003 Naches Valley	40,000	66,113	33,746
39 007 Yakima	40,000	67,396	33,821
39 090 East Valley (Yakima)	40,000	62,350	34,064
39 119 Selah	40,000	66,320	33,746
39 120 Mabton	40,000	70,258	34,810
39 200 Grandview	40,000	63,581	33,746
39 201 Sunnyside	40,000	61,409	33,746
39 202 Toppenish	40,000	66,435	33,746
39 203 Highland	40,000	67,205	33,746
39 204 Granger	40,000	65,609	33,746
39 205 Zillah	40,000	64,987	33,746
39 207 Wapato	40,000	63,992	33,746
39 208 West Valley (Yakima)	40,000	61,409	33,746
39 209 Mount Adams	40,000	66,743	33,746

NEW SECTION. Sec. 504. (1) The sum of seventy-one million seven hundred eighty thousand dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2017, from the education legacy trust account to the superintendent of public instruction for school employee compensation adjustments.

(2) The appropriation in this section is subject to the following conditions and limitations:

(a) Additional salary adjustments as necessary to fund the base salaries for certificated instructional staff as listed for each district in section 503 of this act.

(b) Additional salary adjustments to certain districts as necessary to fund the per full-time equivalent salary allocations for certificated administrative staff as listed for each district in section 503 of this act.

(c) Additional salary adjustments to certain districts as necessary to fund the per full-time equivalent salary allocations for classified staff as listed for each district in section 503 of this act.

(d) The appropriation in this section includes associated incremental fringe benefit allocations at 20.78 percent for the 2016-17 school year for certificated instructional and certificated administrative staff and 19.22 percent for the 2016-17 school year for classified staff.

(e) The appropriation in this section includes the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of chapter 4, Laws of 2015 3rd sp. sess. Changes for general apportionment (basic education) are based on the salary allocation schedules and methodology in sections 501, 502, and 503 of this act. Changes for special education result from changes in each district's basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 501, 502, and 503 of this act.

(f) The appropriation in this section includes no salary adjustments for substitute teachers.

(3) The rates specified in this section are subject to revision each year by the legislature.

NEW SECTION. Sec. 505. The sum of seven million eight hundred twenty-three thousand dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2017, from the education legacy trust account to the superintendent of public instruction for local effort assistance.

NEW SECTION. Sec. 506. (1) The sum of forty-four thousand dollars, or as much thereof as may be necessary, is

appropriated for the fiscal year ending June 30, 2017, from the education legacy trust account to the Washington state school for the blind.

(2) The appropriation in this section is sufficient to implement the salary adjustments necessary to fund the base salaries for certificated instructional staff and classified staff at the Washington state school for the blind.

NEW SECTION. Sec. 507. (1) The sum of twenty-three thousand dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2017, from the education legacy trust account to the center for childhood deafness and hearing loss.

(2) The appropriation in this section is sufficient to implement the salary adjustments necessary to fund the base salaries for certificated instructional staff and classified staff at the center for childhood deafness and hearing loss."

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

On page 1, line 6 of the title, after "sections;" insert "making appropriations;"

Senators Rolfes, Billig, Nelson and Hasegawa spoke in favor of adoption of the amendment.

Senators Dammeier and Hill spoke against adoption of the amendment.

MOTION

Senator Liias demanded a roll call vote on the amendment.

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

The President declared the question before the Senate to be the adoption of amendment no. 633 by Senator Rolfes on page 11, after line 37 to Second Substitute Senate Bill No. 6455.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 633 by Senator Rolfes and the amendment was not adopted by the following vote: Yeas, 22; Nays, 27; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

Voting nay: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Fain,

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Hargrove, Hewitt, Hill, Honeyford, King, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Warnick

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

On page 1, line 4 of the title, after "28A.660.050," strike "and 28A.410.250" and insert "28A.410.250, and 28B.15.558"

MOTION

Senator Billig moved that the following amendment no. 634 by Senators Billig and Dammeier be adopted:

On page 11, after line 37, insert the following:

"PART V

TUITION WAIVERS

Sec. 501. RCW 28B.15.558 and 2015 c 55 s 221 are each amended to read as follows:

(1) The governing boards of the state universities, the regional universities, The Evergreen State College, and the community and technical colleges may waive all or a portion of the tuition and services and activities fees for state employees as defined under subsection (2) of this section and teachers ((and)), other certificated instructional staff under subsection (3) of this section, and K-12 classified staff under subsection (4) of this section. The enrollment of these persons is pursuant to the following conditions:

(a) Such persons shall register for and be enrolled in courses on a space available basis and no new course sections shall be created as a result of the registration;

(b) Enrollment information on persons registered pursuant to this section shall be maintained separately from other enrollment information and shall not be included in official enrollment reports, nor shall such persons be considered in any enrollment statistics that would affect budgetary determinations; and

(c) Persons registering on a space available basis shall be charged a registration fee of not less than five dollars.

(2) For the purposes of this section, "state employees" means persons employed half-time or more in one or more of the following employee classifications:

(a) Permanent employees in classified service under chapter 41.06 RCW;

(b) Permanent employees governed by chapter 41.56 RCW pursuant to the exercise of the option under RCW 41.56.201;

(c) Permanent classified employees and exempt paraprofessional employees of technical colleges; and

(d) Faculty, counselors, librarians, and exempt professional and administrative employees at institutions of higher education as defined in RCW 28B.10.016.

(3) The waivers available to state employees under this section shall also be available to teachers and other certificated instructional staff employed at public common and vocational schools, holding or seeking a valid endorsement and assignment in a state-identified shortage area.

(4) The waivers available under this section shall also be available to classified staff employed at public common and vocational schools when used for coursework relevant to the work assignment.

(5) In awarding waivers, an institution of higher education may award waivers to eligible persons employed by the institution before considering waivers for eligible persons who are not employed by the institution.

((5)) (6) If an institution of higher education exercises the authority granted under this section, it shall include all eligible state employees in the pool of persons eligible to participate in the program.

((6)) (7) In establishing eligibility to receive waivers, institutions of higher education may not discriminate between full-time employees and employees who are employed half-time or more."

Senators Billig and Dammeier spoke in favor of adoption of the amendment.

The President resumed the chair, Lt. Governor Owen, presiding.

The President declared the question before the Senate to be the adoption of amendment no. 634 by Senators Billig and Dammeier on page 11, after line 37 to Second Substitute Senate Bill No. 6455.

The motion by Senator Billig carried and amendment no. 634 was adopted by voice vote.

MOTION

On motion of Senator Dammeier, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6455 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dammeier, Frocht, Rolfes, Hill, Ranker, Miloscia, Jayapal and Nelson spoke in favor of passage of the bill.

Senators McAuliffe and McCoy spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6455.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6455 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frocht, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Litzow, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Chase, Liias, McAuliffe and McCoy

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6455, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6396, by Senators Braun, Roach, Bailey, Rivers, Angel, Becker, Brown, Dammeier, Parlette, Sheldon, Schoesler, Honeyford, Warnick, Padden and Pearson

Changing rule-making requirements to require preadoption review by the attorney general and a yearly expiration.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Senate Bill No. 6396 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Hill, Dansel, Ericksen, Angel, Becker and Baumgartner spoke in favor of passage of the bill.

Senators McCoy, Liias, Takko, Billig, Habib, Fraser, Rolfes and Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6396.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6396 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

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

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

SENATE BILL NO. 6396, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Senator Liias moved, pursuant to Senate Rule 18, that Engrossed Senate Bill No. 5153, an act relating to increasing transparency of campaign contributions, be made a special order of business to be considered at 4:58 p.m.

Senators Liias and Billig spoke in favor of the motion.

Senators Fain and Baumgartner spoke against the motion.

MOTION

Senator Rolfes demanded a roll call vote.

The President declared that at least one-sixth of the members joined the demand and the demand was sustained.

The President declared the question before the Senate to be the motion by Senator Liias that Engrossed Senate Bill No. 5153 be made a special order of business.

ROLL CALL

The Secretary called the roll on the motion by Senator Liias that Engrossed Senate Bill 5153 be made a special order of business and the motion failed on the following vote: Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

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

SECOND READING

SENATE BILL NO. 6605, by Senators Warnick, Becker,

Brown and Honeyford

Ensuring that solid waste management requirements prevent the spread of disease, plant pathogens, and pests.

MOTION

On motion of Senator Warnick, Substitute Senate Bill No. 6605 was substituted for Senate Bill No. 6605 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Warnick moved that the following striking amendment no. 601 by Senator Warnick be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70.95.060 and 1999 c 116 s 1 are each amended to read as follows:

(1) The department shall adopt rules establishing minimum functional standards for solid waste handling, consistent with the standards specified in this section. The department may classify areas of the state with respect to population density, climate, geology, status under a quarantine as defined in RCW 17.24.007, and other relevant factors bearing on solid waste disposal standards.

(2) In addition to the minimum functional standards adopted by the department under subsection (1) of this section, each landfill facility whose area at its design capacity will exceed one hundred acres and whose horizontal height at design capacity will average one hundred feet or more above existing site elevations shall comply with the standards of this subsection. This subsection applies only to wholly new solid waste landfill facilities, no part or unit of which has had construction commence before April 27, 1999.

(a) No landfill specified in this subsection may be located:

(i) So that the active area is closer than five miles to any national park or a public or private nonprofit zoological park displaying native animals in their native habitats; or

(ii) Over a sole source aquifer designated under the federal safe drinking water act, if such designation was effective before January 1, 1999.

(b) Each landfill specified in this subsection (2) shall be constructed with an impermeable berm around the entire perimeter of the active area of the landfill of such height, thickness, and design as will be sufficient to contain all material disposed in the event of a complete failure of the structural integrity of the landfill.

Sec. 2. RCW 70.95.165 and 2015 1st sp.s. c 4 s 49 are each amended to read as follows:

(1) Each county or city siting a solid waste disposal facility shall review each potential site for conformance with the standards as set by the department for:

(a) Geology;

(b) Groundwater;

(c) Soil;

(d) Flooding;

(e) Surface water;

(f) Slope;

(g) Cover material;

(h) Capacity;

(i) Climatic factors;

(j) Land use;

(k) Toxic air emissions; and

(l) Other factors as determined by the department.

(2) The standards in subsection (1) of this section shall be

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designed to use the best available technology to protect the environment and human health, and shall be revised periodically to reflect new technology and information.

(3) Each county shall establish a local solid waste advisory committee to assist in the development of programs and policies concerning solid waste handling and disposal and to review and comment upon proposed rules, policies, or ordinances prior to their adoption. Such committees shall consist of a minimum of nine members and shall represent a balance of interests including, but not limited to, citizens, public interest groups, business, the waste management industry, agriculture, and local elected public officials. The members shall be appointed by the county legislative authority. A county or city shall not apply for funds from the state and local improvements revolving account, Waste Disposal Facilities, 1980, under RCW 43.83.350, for the preparation, update, or major amendment of a comprehensive solid waste management plan unless the plan or revision has been prepared with the active assistance and participation of a local solid waste advisory committee.

NEW SECTION. Sec. 3. A new section is added to chapter 70.95 RCW to read as follows:

Upon receipt by the department of a preliminary draft plan as provided in RCW 70.95.094, the department shall immediately provide a copy of the preliminary draft plan to the department of agriculture. Within forty-five days after receiving the preliminary draft plan, the department of agriculture shall review the preliminary draft plan for compliance with chapter 17.24 RCW and the rules adopted under that chapter. The department of agriculture shall advise the local government submitting the preliminary draft plan and the department of the result of the review.

Sec. 4. RCW 70.95.180 and 1997 c 213 s 3 are each amended to read as follows:

(1) Applications for permits to operate a new or modified solid waste handling facility shall be on forms prescribed by the department and shall contain a description of the proposed facilities and operations at the site, plans and specifications for any new or additional facilities to be constructed, and such other information as the jurisdictional health department may deem necessary in order to determine whether the site and solid waste disposal facilities located thereon will comply with local regulations and state ((regulations)) rules.

(2) Upon receipt of an application for a permit to establish or modify a solid waste handling facility, the jurisdictional health department shall refer one copy of the application to the department which shall report its findings to the jurisdictional health department. When the application is for a permit to establish or modify a solid waste handling facility located in an area that is not under a quarantine, as defined in RCW 17.24.007, and when the facility will receive material for composting from an area under a quarantine, the jurisdictional health department shall also provide a copy of the application to the department of agriculture. The department of agriculture shall review the application to determine whether it contains information demonstrating that the proposed facility presents a risk of spreading disease, plant pathogens, or pests to areas that are not under a quarantine. For the purposes of this subsection, "composting" means the biological degradation and transformation of organic solid waste under controlled conditions designed to promote aerobic decomposition.

(3) The jurisdictional health department shall investigate every application as may be necessary to determine whether a proposed or modified site and facilities meet all solid waste, air, and other applicable laws and regulations, and conforms with the approved comprehensive solid waste handling plan, and complies with all

zoning requirements.

(4) When the jurisdictional health department finds that the permit should be issued, it shall issue such permit. Every application shall be approved or disapproved within ninety days after its receipt by the jurisdictional health department.

(5) The jurisdictional board of health may establish reasonable fees for permits and renewal of permits. All permit fees collected by the health department shall be deposited in the treasury and to the account from which the health department's operating expenses are paid.

Sec. 5. RCW 70.95.200 and 1969 ex.s. c 134 s 20 are each amended to read as follows:

Any permit for a solid waste disposal site issued as provided herein shall be subject to suspension at any time the jurisdictional health department determines that the site or the solid waste disposal facilities located on the site are being operated in violation of this chapter, ((or)) the regulations of the department, the rules of the department of agriculture, or local laws and regulations.

Sec. 6. RCW 70.95.300 and 1998 c 156 s 2 are each amended to read as follows:

(1) The department may by rule exempt a solid waste from the permitting requirements of this chapter for one or more beneficial uses. In adopting such rules, the department shall specify both the solid waste that is exempted from the permitting requirements and the beneficial use or uses for which the solid waste is so exempted. The department shall consider: (a) Whether the material will be beneficially used or reused; and (b) whether the beneficial use or reuse of the material will present threats to human health or the environment.

(2) The department may also exempt a solid waste from the permitting requirements of this chapter for one or more beneficial uses by approving an application for such an exemption. The department shall establish by rule procedures under which a person may apply to the department for such an exemption. The rules shall establish criteria for providing such an exemption, which shall include, but not be limited to: (a) The material will be beneficially used or reused; and (b) the beneficial use or reuse of the material will not present threats to human health or the environment. Rules adopted under this subsection shall identify the information that an application shall contain. Persons seeking such an exemption shall apply to the department under the procedures established by the rules adopted under this subsection.

(3) After receipt of an application filed under rules adopted under subsection (2) of this section, the department shall review the application to determine whether it is complete, and forward a copy of the completed application to all jurisdictional health departments and the department of agriculture for review and comment. Within forty-five days, the jurisdictional health departments and the department of agriculture shall forward to the department their comments and any other information they deem relevant to the department's decision to approve or disapprove the application. The department of agriculture's comments must be limited to addressing whether approving the application risks spreading disease, plant pathogens, or pests to areas that are not under a quarantine, as defined in RCW 17.24.007. Every complete application shall be approved or disapproved by the department within ninety days of receipt. If the application is approved by the department, the solid waste is exempt from the permitting requirements of this chapter when used anywhere in the state in the manner approved by the department. If the composition, use, or reuse of the solid waste is not consistent with the terms and conditions of the department's approval of the application, the use of the solid waste remains subject to the permitting requirements of this chapter.

(4) The department shall establish procedures by rule for providing to the public and the solid waste industry notice of and an opportunity to comment on each application for an exemption under subsection (2) of this section.

(5) Any jurisdictional health department or applicant may appeal the decision of the department to approve or disapprove an application under subsection (3) of this section. The appeal shall be made to the pollution control hearings board by filing with the hearings board a notice of appeal within thirty days of the decision of the department. The hearings board's review of the decision shall be made in accordance with chapter 43.21B RCW and any subsequent appeal of a decision of the board shall be made in accordance with RCW 43.21B.180.

(6) This section shall not be deemed to invalidate the exemptions or determinations of nonapplicability in the department's solid waste rules as they exist on June 11, 1998, which exemptions and determinations are recognized and confirmed subject to the department's continuing authority to modify or revoke those exemptions or determinations by rule."

On page 1, beginning on line 1 of the title, after "Relating to" strike the remainder of the title and insert "ensuring that solid waste management requirements prevent the spread of disease, plant pathogens, and pests; amending RCW 70.95.060, 70.95.165, 70.95.180, 70.95.200, and 70.95.300; and adding a new section to chapter 70.95 RCW."

Senator Warnick spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 601 by Senator Warnick to Substitute Senate Bill No. 6605.

The motion by Senator Warnick carried and striking amendment no. 601 was adopted by voice vote.

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed Substitute Senate Bill No. 6605 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick, Takko and Pedersen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6605.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6605 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator McCoy

ENGROSSED SUBSTITUTE SENATE BILL NO. 6605, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6569, by Senators Cleveland, Becker, Carlyle, Keiser and Ranker

Creating a task force on patient out-of-pocket costs.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 6569 was substituted for Senate Bill No. 6569 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 6569 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Becker spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6569.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6569 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6569, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6215, by Senators Padden, Warnick, Pearson and Becker

Identifying water rights for municipal water supply purposes. Revised for 1st Substitute: Identifying certain irrigation or dairy use water rights as water rights being used for municipal water supply purposes.

MOTION

On motion of Senator Padden, Substitute Senate Bill No. 6215 was substituted for Senate Bill No. 6215 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Padden moved that the following amendment no. 658 by Senators Padden and Billig be adopted:

On page 2, after line 10, insert the following:

"(3) Subsection (2) of this section applies to water resource inventory areas 54, 55, 56, and 57, according to the boundaries of those areas as they existed on the effective date of this section.

(4) The legislature intends that a municipal water supplier holding water rights that have been amended pursuant to

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subsection (2) of this section should retain such water rights."

reading considered the third and the bill was placed on final passage.

Senators Padden and Takko spoke in favor of adoption of the amendment.

Senator Warnick spoke in favor of passage of the bill.

Senator McCoy spoke against adoption of the amendment.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6263.

The President declared the question before the Senate to be the adoption of amendment no. 658 by Senators Padden and Billig on page 2, after line 10 to Substitute Senate Bill No. 6215.

ROLL CALL

The motion by Senator Padden carried and amendment no. 658 was adopted by voice vote.

The Secretary called the roll on the final passage of Senate Bill No. 6263 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

MOTION

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

On motion of Senator Padden, the rules were suspended, Engrossed Substitute Senate Bill No. 6215 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden, Billig and Warnick spoke in favor of passage of the bill.

Senators Fraser and McCoy spoke against passage of the bill.

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.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6215.

ROLL CALL

SECOND READING

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6215 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 1; Excused, 0.

SENATE BILL NO. 6363, by Senators Takko, Ericksen, Hobbs and Parlette

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Dammeier, Dansel, Ericksen, Hargrove, Hewitt, Hill, Honeyford, King, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Concerning the design and construction of certain transportation facilities adjacent to or across a river or waterway.

MOTIONS

Voting nay: Senators Carlyle, Chase, Cleveland, Conway, Darneille, Fain, Fraser, Frockt, Habib, Hasegawa, Hobbs, Jayapal, Keiser, Lias, Litzow, McAuliffe, McCoy, Mullet, Nelson, Ranker and Rolfes

Absent: Senator Pedersen

On motion of Senator Takko, Substitute Senate Bill No. 6363 was substituted for Senate Bill No. 6363 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Takko, the rules were suspended, Substitute Senate Bill No. 6363 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and King spoke in favor of passage of the bill.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6215, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6363.

MOTION

ROLL CALL

On motion of Senator Lias, and without objection, Senator Pedersen was excused.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6363 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

SECOND READING

SENATE BILL NO. 6263, by Senators Warnick, Ranker, Rivers, Hobbs, Darneille, Lias and Conway

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

Providing benefits for certain retirement system members who die or become disabled in the course of providing emergency management services.

The measure was read the second time.

SUBSTITUTE SENATE BILL NO. 6363, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Warnick, the rules were suspended, Senate Bill No. 6263 was advanced to third reading, the second

SECOND READING

SENATE BILL NO. 6406, by Senators Warnick and Conway

Concerning certified public accountant firm mobility.

MOTION

On motion of Senator Warnick, Substitute Senate Bill No. 6406 was substituted for Senate Bill No. 6406 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Warnick moved that the following amendment no. 606 by Senators Warnick and Conway be adopted:

On page 4, line 30, after "RCW 18.04.350(10)" insert "or (11)"

On page 4, line 31, after "provided in", strike "RCW 18.04.350(13)" and insert "RCW 18.04.350(14)"

On page 20, line 3, after "advice on tax matters," strike all material through "prepared," on line 5 and insert "((the preparation of financial statements, written statements describing how such financial statements were prepared.))"

On page 20, line 18, after "(11)" insert "Nothing in this chapter prohibits any person or firm composed of persons not holding a license under this chapter from offering or rendering to the public the preparation of financial statements, or written statements describing how such financial statements were prepared, provided that persons, partnerships, limited liability companies, or corporations not holding a license who offer or render these services do not designate any written statement as a report as defined in RCW 18.04.025(21) and do not issue any written statement which purports to express or disclaim an opinion on financial statements which have been audited, and do not issue any written statement which expresses assurance on financial statements which have been reviewed. The board may prescribe, by rule, language for the written statement describing how such financial statements were prepared for use by persons not holding a license under this chapter.

(12)"

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

Senators Warnick and Conway spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 606 by Senators Warnick and Conway on page 4, line 30 to Substitute Senate Bill No. 6406.

The motion by Senator Warnick carried and amendment no. 606 was adopted by voice vote.

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed Substitute Senate Bill No. 6406 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6406.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6406 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 6406, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6147, by Senators Roach, Takko, Dansel, Chase and Benton

Concerning water-sewer districts.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, Senate Bill No. 6147 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6147.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6147 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6147, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6334, by Senators Benton, Chase, Rivers, Cleveland, Warnick, Hobbs, King and Sheldon

Concerning rail dependent uses for purposes of the growth management act and related development regulations.

MOTION

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On motion of Senator Benton, Substitute Senate Bill No. 6334 was substituted for Senate Bill No. 6334 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator McCoy, and without objection, amendment no. 608 by Senator McCoy on page 3, line 29 to Substitute Senate Bill No. 6334 was withdrawn.

MOTION

Senator Benton moved that the following amendment no. 642 by Senators Benton and Cleveland be adopted:

On page 3, line 29, after "railroad" insert "in a county that has a population greater than three hundred fifty thousand, is bordered by the Columbia river, is west of the Cascade mountain range, and borders another state to the south"

Senators Benton and Lias spoke in favor of adoption of the amendment.

Senator Hargrove spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 642 by Senators Benton and Cleveland on page 3, line 29 to Substitute Senate Bill No. 6334.

The motion by Senator Benton carried and amendment no. 642 was adopted by voice vote.

MOTION

On motion of Senator Benton, the rules were suspended, Engrossed Substitute Senate Bill No. 6334 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Benton spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6334.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6334 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 15; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Hasegawa, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Darneille, Fraser, Frockt, Habib, Hargrove, Hewitt, Jayapal, Lias, McCoy, Nelson, Pedersen, Ranker and Rolfes

ENGROSSED SUBSTITUTE SENATE BILL NO. 6334, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6297, by Senate Committee on Natural Resources & Parks (originally sponsored by Senators King and Takko)

Concerning the disposition of penalties paid for failure to comply with recreational site or lands pass/permit requirements.

MOTIONS

On motion of Senator King, Second Substitute Senate Bill No. 6297 was substituted for Senate Bill No. 6297 and the second substitute bill was placed on the second reading and read the second time.

On motion of Senator King, the rules were suspended, Second Substitute Senate Bill No. 6297 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King, Jayapal and Takko spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6297.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6297 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SECOND SUBSTITUTE SENATE BILL NO. 6297, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6439, by Senators Bailey, Conway, Schoesler, Hewitt and Roach

Addressing volunteer firefighters and reserve officers assisting with multiregional state emergencies. Revised for 1st Substitute: Addressing retirement benefits for volunteer firefighters and reserve officers assisting with state emergencies.

MOTIONS

On motion of Senator Bailey, Substitute Senate Bill No. 6439 was substituted for Senate Bill No. 6439 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Bailey, the rules were suspended, Substitute Senate Bill No. 6439 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Bailey and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6439.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6439 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6439, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6309, by Senators Angel and Hobbs

Concerning registered service contract and protection product guarantee providers. Revised for 1st Substitute: Addressing registered service contract and protection product guarantee providers.

MOTION

On motion of Senator Angel, Substitute Senate Bill No. 6309 was substituted for Senate Bill No. 6309 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Angel moved that the following striking amendment no. 622 by Senator Angel be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 48.110.030 and 2014 c 82 s 2 are each amended to read as follows:

(1) A person may not act as, or offer to act as, or hold himself or herself out to be a service contract provider in this state, nor may a service contract be sold to a consumer in this state, unless the service contract provider has a valid registration as a service contract provider issued by the commissioner.

(2) Applicants to be a service contract provider must make an application to the commissioner upon a form to be furnished by the commissioner. The application must include or be accompanied by the following information and documents:

(a) All basic organizational documents of the service contract provider, including any articles of incorporation, articles of association, partnership agreement, trade name certificate, trust agreement, shareholder agreement, bylaws, and other applicable documents, and all amendments to those documents;

(b) The identities of the service contract provider's executive officer or officers directly responsible for the service contract provider's service contract business, and, if more than fifty percent of the service contract provider's gross revenue is derived from the sale of service contracts, the identities of the service contract provider's directors and stockholders having beneficial ownership of ten percent or more of any class of securities;

(c)(i) For service contract providers relying on RCW 48.110.050(2) (a) or (b) or 48.110.075(2)(a) to assure the faithful performance of its obligations to service contract holders, the most recent audited annual financial statements ((or other

financial reports acceptable to the commissioner for the two most recent years)), if available, or the most recent audited financial statements which prove that the applicant is solvent ((and any information the commissioner may require in order to review the current financial condition of the applicant. If the service contract provider is relying on RCW 48.110.050(2)(c) to assure the faithful performance of its obligations to service contract holders, then the audited financial statements of the service contract provider's parent company must also be filed. In lieu of submitting audited financial statements, a service contract provider relying on RCW 48.110.050(2)(a) or 48.110.075(2)(a) to assure the faithful performance of its obligations to service contract holders may comply with the requirements of this subsection (2)(c) by submitting annual financial statements of the applicant that are certified as accurate by two or more officers of the applicant;)). In lieu of submitting audited financial statements, a service contract provider relying on RCW 48.110.050(2)(a) or 48.110.075(2)(a) to assure the faithful performance of its obligations to service contract holders may comply with the requirements of this subsection (2)(c)(i) by submitting the most recent annual financial statements, if available, or the most recent financial statements of the applicant that are certified as accurate by two or more officers of the applicant; or

(ii) For service contract providers relying on RCW 48.110.050(2)(c) to assure the faithful performance of its obligations to service contract holders, the most recent audited annual financial statements, if available, or the most recent audited financial statements or form 10-K or form 20-F filed with the securities and exchange commission which prove that the applicant has and maintains a net worth or stockholder's equity of one hundred million dollars or more. However, if the service contract provider is relying on its parent company's net worth or stockholder's equity to meet the requirements of RCW 48.110.050(2)(c) and the service contract provider has provided the commissioner with a written guarantee by the parent company in accordance with RCW 48.110.050(2)(c), then the most recent audited annual financial statements, if available, or the most recent audited financial statements or form 10-K or form 20-F filed with the securities and exchange commission of the service contract provider's parent company must be filed and the applicant need not submit its own financial statements or demonstrate a minimum net worth or stockholder's equity; and

(d) An application fee of two hundred fifty dollars, which must be deposited into the general fund((; and

(e) Any other pertinent information required by the commissioner)).

(3) Each registered service contract provider must appoint the commissioner as the service contract provider's attorney to receive service of legal process issued against the service contract provider in this state upon causes of action arising within this state. Service upon the commissioner as attorney constitutes effective legal service upon the service contract provider.

(a) With the appointment the service contract provider must designate the person to whom the commissioner must forward legal process so served upon him or her.

(b) The appointment is irrevocable, binds any successor in interest or to the assets or liabilities of the service contract provider, and remains in effect for as long as there could be any cause of action against the service contract provider arising out of any of the service contract provider's contracts or obligations in this state.

(c) The service of process must be accomplished and processed in the manner prescribed under RCW 48.02.200.

(4) The commissioner may refuse to issue a registration if the commissioner determines that the service contract provider, or any individual responsible for the conduct of the affairs of the

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service contract provider under subsection (2)(b) of this section, is not competent, trustworthy, financially responsible, or has had a license as a service contract provider or similar license denied or revoked for cause by any state.

(5) A registration issued under this section is valid, unless surrendered, suspended, or revoked by the commissioner, or not renewed for so long as the service contract provider continues in business in this state and remains in compliance with this chapter. A registration is subject to renewal annually on the first day of July upon application of the service contract provider and payment of a fee of two hundred dollars, which must be deposited into the general fund. If not so renewed, the registration expires on the June 30th next preceding.

(6) A service contract provider must keep current the information required to be disclosed in its registration under this section by reporting all material changes or additions within thirty days after the end of the month in which the change or addition occurs.

Sec. 2. RCW 48.110.040 and 2006 c 274 s 5 are each amended to read as follows:

(1)(a) Every registered service contract provider must file an annual report for the preceding calendar year with the commissioner on or before March 1st of each year, or within any extension of time the commissioner for good cause may grant. The report must be in the form and contain those matters as the commissioner prescribes and shall be verified by at least two officers of the service contract provider.

(b)(i) A service contract provider relying on RCW 48.110.050(2)(a) or 48.110.075(2)(a) to assure the faithful performance of its obligations to service contract holders may not be required to submit audited financial statements of the service contract provider as part of its annual reports. If requested by the commissioner, a service contract provider relying on those provisions must provide a copy of the most recent annual financial statements of the service contract provider or its parent company certified as accurate by two officers of the service contract provider or its parent company.

(ii) A service contract provider relying on its parent company's net worth to meet the requirements of RCW 48.110.050(2)(c) to assure the faithful performance of its obligations to service contract holders must submit as part of its annual report the most recent audited financial statements or form 10-K or form 20-F filed with the United States securities and exchange commission of the service contract provider's parent company if requested by the commissioner but need not submit its own audited financial statements.

(2) At the time of filing the report, the service contract provider must pay a filing fee of twenty dollars which shall be deposited into the general fund.

(3) As part of any investigation by the commissioner, the commissioner may require a service contract provider to file monthly financial reports whenever, in the commissioner's discretion, there is a need to more closely monitor the financial activities of the service contract provider. Monthly financial statements must be filed in the commissioner's office no later than the twenty-fifth day of the month following the month for which the financial report is being filed. These monthly financial reports are the internal financial statements of the service contract provider. The monthly financial reports that are filed with the commissioner constitute information that might be damaging to the service contract provider if made available to its competitors, and therefore shall be kept confidential by the commissioner. This information may not be made public or be subject to subpoena, other than by the commissioner and then only for the purpose of enforcement actions taken by the commissioner.

Sec. 3. RCW 48.110.050 and 2006 c 274 s 6 are each amended to read as follows:

(1) Service contracts shall not be issued, sold, or offered for sale in this state or sold to consumers in this state unless the service contract provider has:

(a) Provided a receipt for, or other written evidence of, the purchase of the service contract to the contract holder; and

(b) Provided a copy of the service contract to the service contract holder within a reasonable period of time from the date of purchase.

(2) In order to either demonstrate its financial responsibility or assure the faithful performance of the service contract provider's obligations to its service contract holders, every service contract provider shall comply with the requirements of one of the following:

(a) Insure all service contracts under a reimbursement insurance policy issued by an insurer holding a certificate of authority from the commissioner or a risk retention group, as defined in 15 U.S.C. Sec. 3901(a)(4), as long as that risk retention group is in full compliance with the federal liability risk retention act of 1986 (15 U.S.C. Sec. 3901 et seq.), is in good standing in its domiciliary jurisdiction, and is properly registered with the commissioner under chapter 48.92 RCW. The insurance required by this subsection must meet the following requirements:

(i) The insurer or risk retention group must, at the time the policy is filed with the commissioner, and continuously thereafter, maintain surplus as to policyholders and paid-in capital of at least fifteen million dollars and annually file audited financial statements with the commissioner; and

(ii) The commissioner may authorize an insurer or risk retention group that has surplus as to policyholders and paid-in capital of less than fifteen million dollars, but at least equal to ten million dollars, to issue the insurance required by this subsection if the insurer or risk retention group demonstrates to the satisfaction of the commissioner that the company maintains a ratio of direct written premiums, wherever written, to surplus as to policyholders and paid-in capital of not more than three to one;

(b)(i) Maintain a funded reserve account for its obligations under its service contracts issued and outstanding in this state. The reserves shall not be less than forty percent of the gross consideration received, less claims paid, on the sale of the service contract for all in-force contracts. The reserve account shall be subject to examination and review by the commissioner; and

(ii) Place in trust with the commissioner a financial security deposit, having a value of not less than five percent of the gross consideration received, less claims paid, on the sale of the service contract for all service contracts issued and in force, but not less than twenty-five thousand dollars, consisting of one of the following:

(A) A surety bond issued by an insurer holding a certificate of authority from the commissioner; or

(B) Securities of the type eligible for deposit by authorized insurers in this state;

(C) Cash;

(D) An irrevocable evergreen letter of credit issued by a qualified financial institution; or

(E) Another form of security prescribed by rule by the commissioner; or

(c)(i) Maintain, or its parent company maintain, a net worth or stockholder's equity of at least one hundred million dollars; and

(ii) Upon request, provide the commissioner with a copy of the service contract provider's or, if using the net worth or stockholder's equity of its parent company to satisfy the one hundred million dollar requirement, the service contract provider's parent company's most recent form 10-K or form 20-F

filed with the securities and exchange commission within the last calendar year, or if the company does not file with the securities and exchange commission, a copy of the service contract provider's or, if using the net worth or stockholder's equity of its parent company to satisfy the one hundred million dollar requirement, the service contract provider's parent company's most recent audited financial statements, which shows a net worth of the service contract provider or its parent company of at least one hundred million dollars. If the service contract provider's parent company's form 10-K, form 20-F, or audited financial statements are filed with the commissioner to meet the service contract provider's financial stability requirement, then the parent company shall agree to guarantee the obligations of the service contract provider relating to service contracts sold by the service contract provider in this state. A copy of the guarantee shall be filed with the commissioner. The guarantee shall be irrevocable as long as there is in force in this state any contract or any obligation arising from service contracts guaranteed, unless the parent company has made arrangements approved by the commissioner to satisfy its obligations under the guarantee.

(3) Service contracts shall require the service contract provider to permit the service contract holder to return the service contract within twenty days of the date the service contract was mailed to the service contract holder or within ten days of delivery if the service contract is delivered to the service contract holder at the time of sale, or within a longer time period permitted under the service contract. Upon return of the service contract to the service contract provider within the applicable period, if no claim has been made under the service contract prior to the return to the service contract provider, the service contract is void and the service contract provider shall refund to the service contract holder, or credit the account of the service contract holder with the full purchase price of the service contract. The right to void the service contract provided in this subsection is not transferable and shall apply only to the original service contract purchaser. A ten percent penalty per month shall be added to a refund of the purchase price that is not paid or credited within thirty days after return of the service contract to the service contract provider.

(4) This section does not apply to service contracts on motor vehicles or to protection product guarantees.

Sec. 4. RCW 48.110.055 and 2011 c 47 s 17 are each amended to read as follows:

(1) This section applies to protection product guarantee providers.

(2) A person must not act as, or offer to act as, or hold himself or herself out to be a protection product guarantee provider in this state, nor may a protection product be sold to a consumer in this state, unless the protection product guarantee provider has:

(a) A valid registration as a protection product guarantee provider issued by the commissioner; and

(b) Either demonstrated its financial responsibility or assured the faithful performance of the protection product guarantee provider's obligations to its protection product guarantee holders by insuring all protection product guarantees under a reimbursement insurance policy issued by an insurer holding a certificate of authority from the commissioner or a risk retention group, as defined in 15 U.S.C. Sec. 3901(a)(4), as long as that risk retention group is in full compliance with the federal liability risk retention act of 1986 (15 U.S.C. Sec. 3901 et seq.), is in good standing in its domiciliary jurisdiction, and properly registered with the commissioner under chapter 48.92 RCW. The insurance required by this subsection must meet the following requirements:

(i) The insurer or risk retention group must, at the time the policy is filed with the commissioner, and continuously thereafter, maintain surplus as to policyholders and paid-in capital of at least fifteen million dollars and annually file audited

financial statements with the commissioner; and

(ii) The commissioner may authorize an insurer or risk retention group that has surplus as to policyholders and paid-in capital of less than fifteen million dollars, but at least equal to ten million dollars, to issue the insurance required by this subsection if the insurer or risk retention group demonstrates to the satisfaction of the commissioner that the company maintains a ratio of direct written premiums, wherever written, to surplus as to policyholders and paid-in capital of not more than three to one.

(3) Applicants to be a protection product guarantee provider must make an application to the commissioner upon a form to be furnished by the commissioner. The application must include or be accompanied by the following information and documents:

(a) The names of the protection product guarantee provider's executive officer or officers directly responsible for the protection product guarantee provider's protection product guarantee business and their biographical affidavits on a form prescribed by the commissioner;

(b) The name, address, and telephone number of any administrators designated by the protection product guarantee provider to be responsible for the administration of protection product guarantees in this state;

(c) A copy of the protection product guarantee reimbursement insurance policy or policies;

(d) A copy of each protection product guarantee the protection product guarantee provider proposes to use in this state;

(e) ((Any other pertinent information required by the commissioner)) The most recent annual financial statements, if available, or the most recent financial statements certified as accurate by two or more officers of the applicant which prove that the applicant is solvent; and

(f) A nonrefundable application fee of two hundred fifty dollars.

(4) Each registered protection product guarantee provider must appoint the commissioner as the protection product guarantee provider's attorney to receive service of legal process issued against the protection product guarantee provider in this state upon causes of action arising within this state. Service upon the commissioner as attorney constitutes effective legal service upon the protection product guarantee provider.

(a) With the appointment the protection product guarantee provider must designate the person to whom the commissioner must forward legal process so served upon him or her.

(b) The appointment is irrevocable, binds any successor in interest or to the assets or liabilities of the protection product guarantee provider, and remains in effect for as long as there could be any cause of action against the protection product guarantee provider arising out of any of the protection product guarantee provider's contracts or obligations in this state.

(c) The service of process must be accomplished and processed in the manner prescribed under RCW 48.02.200.

(5) The commissioner may refuse to issue a registration if the commissioner determines that the protection product guarantee provider, or any individual responsible for the conduct of the affairs of the protection product guarantee provider under subsection (3)(a) of this section, is not competent, trustworthy, financially responsible, or has had a license as a protection product guarantee provider or similar license denied or revoked for cause by any state.

(6) A registration issued under this section is valid, unless surrendered, suspended, or revoked by the commissioner, or not renewed for so long as the protection product guarantee provider continues in business in this state and remains in compliance with this chapter. A registration is subject to renewal annually on the first day of July upon application of the protection product guarantee provider and payment of a fee of two hundred fifty

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dollars. If not so renewed, the registration expires on the June 30th next preceding.

(7) A protection product guarantee provider must keep current the information required to be disclosed in its registration under this section by reporting all material changes or additions within thirty days after the end of the month in which the change or addition occurs.

Sec. 5. RCW 48.110.902 and 2006 c 274 s 21 are each amended to read as follows:

(1) RCW 48.110.030 (2)(a) and (b), (3), and (4), 48.110.040, 48.110.060, 48.110.100, 48.110.110, 48.110.075 (2)(a) and (b) and (4)(e), and 48.110.073 (1) and (2) do not apply to motor vehicle service contracts issued by a motor vehicle manufacturer or import distributor covering vehicles manufactured or imported by the motor vehicle manufacturer or import distributor. For purposes of this section, "motor vehicle service contract" includes a contract or agreement sold for separately stated consideration for a specific duration to perform any of the services set forth in RCW 48.110.020(18)(b).

(2) RCW 48.110.030(2)(c) does not apply to a publicly traded motor vehicle manufacturer or import distributor.

(3) RCW 48.110.030 (2)(a) through (c), (3), and (4), 48.110.040, and 48.110.073(2) do not apply to wholly owned subsidiaries of motor vehicle manufacturers or import distributors.

(4) The adoption of chapter 274, Laws of 2006 does not imply that a vehicle protection product warranty was insurance prior to October 1, 2006."

On page 1, line 2 of the title, after "providers;" strike the remainder of the title and insert "and amending RCW 48.110.030, 48.110.040, 48.110.050, 48.110.055, and 48.110.902."

Senator Angel spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 622 by Senator Angel to Substitute Senate Bill No. 6309.

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

MOTION

On motion of Senator Angel, the rules were suspended, Engrossed Substitute Senate Bill No. 6309 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Angel and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6309.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6309 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 6309, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6633, by Senators Ranker and Ericksen

Concerning the marine resources advisory council.

The measure was read the second time.

MOTION

On motion of Senator Ranker, the rules were suspended, Senate Bill No. 6633 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Ranker spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6633.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6633 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6633, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6631, by Senators Roach and Chase

Establishing a joint select committee to consider the political, economic, and security issues at Washington's largest ports.

The measure was read the second time.

MOTION

Senator Roach moved that the following committee amendment by the Committee on Government Operations & Security be adopted:

On page 2, line 27, after "(8)" insert "For the purposes of this section, "Washington's largest ports" means the two port districts in the state that have the highest annual volume of cargo and any port district bordering the Columbia river in a county with a population under one hundred twenty-five thousand with operating revenues over thirty million dollars a year.

(9)"

Senator Roach spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the committee amendment by the Committee on Government Operations & Security to Senate Bill No. 6631.

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

MOTION

Senator Roach moved that the following amendment no. 579 by Senators Benton, Takko and Cleveland be adopted:

On page 2, line 27, after "(8)" insert "For the purposes of this section, "Washington's largest ports" means the four port districts in the state that had the highest gross operating revenues in 2015. (9)"

Senator Roach spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 579 by Senators Benton, Cleveland and Takko on page 2, line 27 to Senate Bill No. 6631.

The motion by Senator Roach carried and amendment no. 579 was adopted by voice vote.

MOTION

On motion of Senator Roach, the rules were suspended, Engrossed Senate Bill No. 6631 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach, McCoy, Chase and Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6631.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6631 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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

Absent: Senator Hargrove

ENGROSSED SENATE BILL NO. 6631, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5728, by Senators Darneille, Rivers, Rolfes, Ranker, Keiser, Parlette, Hasegawa, Chase and Jayapal

Allowing patients to opt out of HIV testing. Revised for 1st Substitute: Concerning screening for HIV infection.

MOTIONS

On motion of Senator Darneille, Substitute Senate Bill No. 5728 was substituted for Senate Bill No. 5728 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Darneille, the rules were suspended, Substitute Senate Bill No. 5728 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille and Becker spoke in favor of passage of the bill.

Senator Angel spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5728.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5728 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

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

Voting nay: Senators Angel and Dansel

SUBSTITUTE SENATE BILL NO. 5728, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, pursuant to Rule 18, Engrossed Substitute Senate Bill 5915, an act relating to fiscal notes, was made a special order of business to be considered at 4:57 p.m.

SECOND READING

SENATE BILL NO. 6360, by Senators O'Ban, Carlyle, Liias, Jayapal, Frockt, King, Pearson, Pedersen, Hasegawa and Chase

Developing a plan for the consolidation of traffic-based financial obligations.

MOTIONS

On motion of Senator O'Ban, Substitute Senate Bill No. 6360 was substituted for Senate Bill No. 6360 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator O'Ban, the rules were suspended, Substitute Senate Bill No. 6360 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6360.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6360 and the bill passed the Senate by the

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following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6360, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6317, by Senators Padden, Takko, Dammeier, Hargrove and Hobbs

Establishing an office of superior courts.

MOTION

On motion of Senator Padden, Substitute Senate Bill No. 6317 was substituted for Senate Bill No. 6317 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Padden moved that the following amendment no. 613 by Senator Padden be adopted:

On page 3, after line 31, insert the following:

"(4) The duties of the office of superior courts must be carried out within the existing appropriations of the administrative office of the courts."

POINT OF ORDER

Senator Fain: "There is a special order of business at 4:57 p.m."

SPECIAL ORDER OF BUSINESS

Pursuant to Rule 18, the hour fixed for consideration of a special order of business having arrived, the President called the Senate to order and announced that Engrossed Substitute Senate Bill 5915 to be before the Senate and was immediately considered.

MOTION

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

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5915, by Senate Committee on Ways & Means (originally sponsored by Senators Brown, Angel, Miloscia, Braun, Dansel, Schoesler, Hewitt and Chase)

Concerning dynamic fiscal impact statements. Revised for 1st Substitute: Addressing fiscal notes and fiscal impact statements.

The bill was read on Third Reading.

MOTION

On motion of Senator Brown, the rules were suspended and Engrossed Substitute Senate Bill No. 5915 was returned to second reading for the purpose of amendment.

MOTION

Senator Chase moved that the following amendment no. 528 by Senator Chase be adopted:

On page 2, line 38, strike "2017", and insert "2018"

On page 4, line 34, strike "2015", and insert "2016"

On page 4, line 37, strike "2016", and insert "2017"

On page 4, line 38, strike "2017", and insert "2018"

On page 5, line 2, strike "2022", and insert "2023"

Senator Chase spoke in favor of adoption of the amendment.

Senator Brown spoke against adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Chase, and without objection, floor amendment no. 528 by Senator Chase to Engrossed Substitute Senate Bill No. 5915 was withdrawn.

MOTION

Senator Hill moved that the following amendment no. 659 by Senator Hill be adopted:

On page 2, line 38, after "2017,", insert "subject to the availability of amounts specifically appropriated for this purpose"

On page 4, line 7, after "(2)(a)" strike "The" and insert "Subject to the availability of amounts specifically appropriated for this purpose, the"

Senator Hill spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 659 by Senator Hill on page 2, line 38 to Engrossed Substitute Senate Bill No. 5915.

The motion by Senator Hill carried and amendment no. 659 was adopted by voice vote.

MOTION

On motion of Senator Brown the rules were suspended, Second Engrossed Substitute Senate Bill No. 5915 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown, Hargrove and Chase spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed Substitute Senate Bill No. 5915.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5915 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker,

Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5915, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

Pursuant to Rule 18, the Senate resumed consideration of Substitute Senate Bill 6317 which had been deferred earlier in the day pending the special order of business.

Senator Padden spoke in favor of adoption of the amendment. Senators Pedersen and Darneille spoke against adoption of the amendment.

MOTION

A division was demanded.

The President declared the question before the Senate to be the adoption of amendment no. 613 by Senator Padden on page 3, after line 31 to Substitute Senate Bill No. 6317.

The motion by Senator Padden carried and amendment no. 613 was adopted on a rising vote.

MOTION

On motion of Senator Padden, the rules were suspended, Engrossed Substitute Senate Bill No. 6317 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden, O'Ban and Hargrove spoke in favor of passage of the bill.

Senators Pedersen and Darneille spoke against passage of the bill.

MOTION

On motion of Senator Mullet, and without objection, Senator Habib was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6317.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6317 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Conway, Dammeier, Dansel, Ericksen, Fain, Hargrove, Hewitt, Hill, Hobbs, Honeyford, King, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Darneille, Fraser, Frockt, Habib, Hasegawa, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker and Rolfes

ENGROSSED SUBSTITUTE SENATE BILL NO. 6317, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Roach: "I'd like to announce the results of the fishing contest. The overall winner is the Senior Legislative Aide to Senator Sheldon who caught a fish that weighed 3.5 pounds. The overall winner in the Senate at 2 pounds was Senator Braun. Senator Hargrove did a great job at 1.23 pounds. Thank you."

PERSONAL PRIVILEGE

Senator Hargrove: "Thank you, Mr. President. First of all, it was a great event and I want to thank Senator Roach for putting it on. I did want to mention that while I was there, I saw Senator Roach pull a big fish out of the water and then grab it with both hands and then it slipped out and went back in the tank. After which, she grabbed a net and went after it with a net. After telling Senator McCoy he couldn't do that. She was out there net fishing for her fish in the tank. It was a great event and I would also like to remind you that next Tuesday we're having our legislative shoot out. We'll get to go make lots of shells. Thank you."

MOTION

At 5:26 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock p.m., Thursday, February 18, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

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