

**FIFTY SECOND DAY**

**MORNING SESSION**

Senate Chamber, Olympia  
Wednesday, March 1, 2023

The Senate was called to order at 9 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Boehnke.

The Sergeant at Arms Color Guard consisting of Pages Miss Vivian Basinski and Mr. Judson Knoll, presented the Colors. Page Mr. Josh Miovic led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Pam Brokaw, Montesano and Elma United Methodist Churches.

**MOTIONS**

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

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

**MESSAGES FROM THE HOUSE**

February 28, 2023

MR. PRESIDENT:

The House has passed:

- SUBSTITUTE HOUSE BILL NO. 1012,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1033,
- SUBSTITUTE HOUSE BILL NO. 1077,
- SUBSTITUTE HOUSE BILL NO. 1085,
- SUBSTITUTE HOUSE BILL NO. 1138,
- SUBSTITUTE HOUSE BILL NO. 1177,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1188,
- HOUSE BILL NO. 1221,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1222,
- HOUSE BILL NO. 1230,
- SUBSTITUTE HOUSE BILL NO. 1250,
- HOUSE BILL NO. 1257,
- SUBSTITUTE HOUSE BILL NO. 1266,
- SUBSTITUTE HOUSE BILL NO. 1288,
- SUBSTITUTE HOUSE BILL NO. 1289,
- HOUSE BILL NO. 1290,
- SUBSTITUTE HOUSE BILL NO. 1323,
- HOUSE BILL NO. 1334,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1340,
- HOUSE BILL NO. 1349,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1377,
- SECOND SUBSTITUTE HOUSE BILL NO. 1391,
- HOUSE BILL NO. 1407,
- HOUSE BILL NO. 1419,
- HOUSE BILL NO. 1420,
- SUBSTITUTE HOUSE BILL NO. 1458,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1469,
- SECOND SUBSTITUTE HOUSE BILL NO. 1470,
- SUBSTITUTE HOUSE BILL NO. 1499,
- SUBSTITUTE HOUSE BILL NO. 1501,
- SUBSTITUTE HOUSE BILL NO. 1504,
- HOUSE BILL NO. 1507,
- HOUSE BILL NO. 1540,
- HOUSE BILL NO. 1552,

- HOUSE BILL NO. 1624,
- HOUSE BILL NO. 1695,
- HOUSE BILL NO. 1737,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1758,
- HOUSE BILL NO. 1771,
- HOUSE BILL NO. 1772,
- HOUSE BILL NO. 1775,
- HOUSE BILL NO. 1792,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 28, 2023

MR. PRESIDENT:

The Speaker has signed

SENATE CONCURRENT RESOLUTION NO. 8404.

and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

**MOTION**

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

**INTRODUCTION AND FIRST READING**

ESHB 1037 by House Committee on Civil Rights & Judiciary (originally sponsored by Walsh)

AN ACT Relating to family burial grounds on privately owned property; amending RCW 68.05.400, 68.20.010, 68.20.140, and 68.50.130; adding a new section to chapter 68.04 RCW; and adding a new chapter to Title 68 RCW.

Referred to Committee on Law & Justice.

2SHB 1039 by House Committee on Appropriations

(originally sponsored by Macri, Harris, Corry, Duerr, Riccelli, Chambers, Goodman, Reed, Fitzgibbon, Pollet, Ryu, Paul, Thai, Springer, Stonier, Kloba, Santos and Ormsby)

AN ACT Relating to physical therapists performing intramuscular needling; amending RCW 18.74.010; and adding a new section to chapter 18.74 RCW.

Referred to Committee on Health & Long-Term Care.

ESHB 1051 by House Committee on Consumer

Protection & Business (originally sponsored by Leavitt, Walen, Simmons, Ryu, Goodman, Fitzgibbon, Pollet, Doglio, Orwall, Macri, Timmons, Wylie, Bronoske, Ramos, Thai and Kloba)

AN ACT Relating to robocalling and telephone scams; amending RCW 80.36.400, 80.36.390, and 19.158.020; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

HB 1061 by Representatives Ryu, Corry and Reeves

AN ACT Relating to the elimination of prelicensing education requirements for licensed insurance producers; and amending RCW 48.17.090.

FIFTY SECOND DAY, MARCH 1, 2023

Referred to Committee on Business, Financial Services,  
Gaming & Trade.

SHB 1079 by House Committee on Health Care &  
Wellness (originally sponsored by Thai, Slatter and  
Ryu)

AN ACT Relating to rapid whole genome sequencing;  
amending RCW 74.09.520; creating a new section; and  
providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SHB 1088 by House Committee on Civil Rights &  
Judiciary (originally sponsored by Walen and Reeves)

AN ACT Relating to the uniform family law arbitration act;  
adding a new chapter to Title 26 RCW; and providing an  
effective date.

Referred to Committee on Law & Justice.

E2SHB 1170 by House Committee on Appropriations  
(originally sponsored by Street, Couture, Berry, Ramel,  
Fitzgibbon, Lekanoff, Duerr, Thai and Pollet)

AN ACT Relating to improving climate resilience through  
updates to the state's integrated climate response strategy;  
amending RCW 70A.05.010, 70A.05.020, 70A.05.030, and  
70A.05.040; adding new sections to chapter 70A.05 RCW;  
and creating a new section.

Referred to Committee on Environment, Energy &  
Technology.

ESHB 1173 by House Committee on Environment &  
Energy (originally sponsored by Connors, Klicker and  
Rude)

AN ACT Relating to reducing light pollution associated with  
certain energy infrastructure; amending RCW 43.21B.110;  
adding a new section to chapter 43.21C RCW; adding a new  
chapter to Title 70A RCW; prescribing penalties; and  
declaring an emergency.

Referred to Committee on Environment, Energy &  
Technology.

2SHB 1204 by House Committee on Appropriations  
(originally sponsored by Callan, Eslick, Leavitt,  
Bateman, Kloba, Reed, Simmons, Doglio, Goodman,  
Ortiz-Self, McEntire, Davis and Pollet)

AN ACT Relating to implementing the family connections  
program; amending RCW 74.13.715; creating a new section;  
providing an effective date; and declaring an emergency.

Referred to Committee on Human Services.

SHB 1207 by House Committee on Education  
(originally sponsored by Senn, Rude, Fey, Reed,  
Bergquist, Ramel, Doglio, Callan, Thai and Pollet)

AN ACT Relating to preventing and responding to  
harassment, intimidation, bullying, and discrimination in  
schools by requiring distribution of related policies and  
complaint procedures, designation of a primary contact for  
compliance with nondiscrimination laws, and changing a  
prejudicial student discipline term; amending RCW  
28A.300.042 and 28A.600.015; adding a new section to  
chapter 28A.300 RCW; adding a new section to chapter

28A.642 RCW; and adding a new section to chapter  
28A.600 RCW.

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

HB 1232 by Representatives Bergquist, Chambers, Entenman,  
Slatter, Paul, Ramos, Mena, Street, Riccelli, Pollet,  
Callan, Hackney, Thai, Reeves, Reed, Ortiz-Self,  
Kloba, Duerr, Doglio, Morgan, Ramel, Goodman,  
Tharinger, Lekanoff, Gregerson and Santos

AN ACT Relating to enhancing the college bound  
scholarship program by increasing opportunities for students  
to attend community and technical colleges; amending RCW  
28B.118.010 and 28B.118.090; and creating a new section.

Referred to Committee on Higher Education & Workforce  
Development.

SHB 1247 by House Committee on Health Care &  
Wellness (originally sponsored by Reed, Harris, Mena,  
Berry, Simmons, Morgan, Slatter, Ryu, Goodman,  
Donaghy, Reeves, Sandlin, Stearns and Fosse)

AN ACT Relating to licensure for music therapists;  
amending RCW 18.120.020, 18.130.040, and 18.130.040;  
adding a new chapter to Title 18 RCW; providing an  
effective date; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SHB 1267 by House Committee on Local Government  
(originally sponsored by Tharinger, Steele and Ramel)

AN ACT Relating to rural public facilities sales and use tax;  
and amending RCW 82.14.370.

Referred to Committee on Local Government, Land Use &  
Tribal Affairs.

ESHB 1277 by House Committee on Education  
(originally sponsored by Donaghy, Harris, Slatter,  
Kloba, Reeves, Reed, Ormsby and Pollet)

AN ACT Relating to improving the consistency and quality  
of the implementation of the fundamental course of study for  
paraeducators; amending RCW 28A.413.060; adding a new  
section to chapter 28A.413 RCW; and creating a new  
section.

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

HB 1319 by Representatives Reed, Cortes, Berry, Ramel,  
Cheney, Waters and Kloba

AN ACT Relating to collision reporting criteria triggering  
driver's license reexamination; and amending RCW  
46.52.070.

Referred to Committee on Transportation.

ESHB 1329 by House Committee on Environment &  
Energy (originally sponsored by Mena, Alvarado,  
Berry, Duerr, Leavitt, Morgan, Ramel, Ryu, Senn,  
Simmons, Timmons, Kloba, Bateman, Slatter, Orwall,  
Reed, Lekanoff, Gregerson, Doglio, Tharinger, Cortes,  
Donaghy, Pollet, Callan, Fosse, Macri, Davis and  
Stonier)

AN ACT Relating to preventing utility shutoffs for nonpayment during extreme heat; amending RCW 54.16.285, 57.08.081, 80.28.010, 87.03.015, 59.18.060, and 59.20.070; adding a new section to chapter 23.86 RCW; adding a new section to chapter 24.06 RCW; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Environment, Energy & Technology.

**HB 1330** by Representatives Christian, Pollet, Schmidt, Couture, Low and Doglio

AN ACT Relating to adjusting the threshold for requiring candidate contribution certifications relating to foreign nationals; and amending RCW 42.17A.418, 42.17A.240, 42.17A.250, and 42.17A.265.

Referred to Committee on State Government & Elections.

**ESHB 1335** by House Committee on Civil Rights & Judiciary (originally sponsored by Hansen, Berry, Farivar, Taylor, Ramel, Simmons, Kloba, Bateman, Reed and Lekanoff)

AN ACT Relating to the unauthorized publication of personal identifying information; adding a new section to chapter 4.24 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

**SHB 1460** by House Committee on Capital Budget (originally sponsored by Hackney, Waters, Simmons, Kloba, Pollet, Davis and Macri)

AN ACT Relating to the department of natural resources trust land management; amending RCW 79.17.020, 79.17.210, 79.22.060, 43.30.385, 79.19.020, 79.19.030, 79.11.340, 79.22.140, and 79.19.050; reenacting and amending RCW 79.64.110; adding a new section to chapter 79.19 RCW; adding new sections to chapter 79.17 RCW; and creating a new section.

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

**HB 1536** by Representatives Timmons, Harris, Bergquist, Ortiz-Self, Walen, Ramel, Morgan, Stonier, Gregerson, Ormsby and Paul

AN ACT Relating to requirements governing the withholding of high school diplomas; and amending RCW 28A.635.060.

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

**HB 1543** by Representatives Dye, Kretz, Springer, Graham, Eslick, Mosbrucker, Chapman, Ryu, Wylie, Klicker, Couture and Davis

AN ACT Relating to establishing a wild horse holding and training program at Coyote Ridge corrections center; and creating new sections.

Referred to Committee on Human Services.

**HB 1564** by Representatives Mosbrucker, Orwall, Chambers, Graham, Rude and Rule

AN ACT Relating to prohibiting the sale of over-the-counter sexual assault kits; adding a new section to chapter 5.70 RCW; and creating a new section.

Referred to Committee on Law & Justice.

**ESHB 1600** by House Committee on Civil Rights & Judiciary (originally sponsored by Goodman, Berry, Ramel and Pollet)

AN ACT Relating to providing access to sealed juvenile records for firearm purposes; and amending RCW 13.50.260.

Referred to Committee on Law & Justice.

**SHB 1638** by House Committee on Transportation (originally sponsored by Fey, Barkis, Robertson, Lekanoff, Schmidt, Ramel, Duerr, Timmons, Eslick and Jacobsen)

AN ACT Relating to the creation of a state trooper expedited recruitment incentive program; adding a new section to chapter 43.43 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Transportation.

**HB 1696** by Representatives Davis, Mosbrucker, Orwall, Griffey, Duerr, Reed, Leavitt, Barnard, Walen, Eslick, Ramel and Pollet

AN ACT Relating to stalking-related offenses; amending RCW 9A.46.110; and repealing RCW 9A.90.130.

Referred to Committee on Law & Justice.

**SHB 1701** by House Committee on Education (originally sponsored by Callan, Stonier, Simmons, Senn, Reed, Kloba, Pollet, Santos, Ortiz-Self, Ormsby, Macri and Bergquist)

AN ACT Relating to assigning the superintendent of public instruction the responsibility for the delivery and oversight of basic education services to justice-involved youth served through institutional education programs in facilities that are not under the jurisdiction of the department of social and health services; amending RCW 28A.300.040; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.190 RCW; creating new sections; and providing expiration dates.

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

**SHB 1753** by House Committee on Agriculture and Natural Resources (originally sponsored by Bronoske, Leavitt and Reed)

AN ACT Relating to changing certain notice provisions in the derelict vessel removal program; and amending RCW 79.100.040.

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

**SHB 1784** by House Committee on Appropriations (originally sponsored by Gregerson, Ormsby, Duerr, Alvarado, Berry, Ryu, Bergquist, Peterson, Berg, Chapman, Mena, Lekanoff, Senn, Thai, Leavitt, Santos,

FIFTY SECOND DAY, MARCH 1, 2023

Callan, Macri, Fosse, Riccelli, Doglio, Kloba, Timmons, Ramel, Bateman and Pollet)

AN ACT Relating to addressing hunger relief; creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

EHB 1797 by Representatives Cheney, Goodman, Hutchins and Graham

AN ACT Relating to residential real estate appraisers being allowed to complete real property evaluations; amending RCW 18.140.030; and adding a new section to chapter 18.140 RCW.

Referred to Committee on Business, Financial Services, Gaming & Trade.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

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

MOTION

Senator Wilson, L. moved adoption of the following resolution:

SENATE RESOLUTION  
8617

By Senator L. Wilson

WHEREAS, Breast cancer is among the most commonly diagnosed cancers, and its many forms comprise the second leading cause of cancer deaths among women in the United States; and

WHEREAS, From 2016 through 2020, on average, breast cancer caused the deaths of nineteen out of every one hundred thousand people in Washington; and

WHEREAS, It is estimated that in 2023, approximately two hundred ninety-seven thousand seven hundred ninety women will be diagnosed with breast cancer and over forty-three thousand will die from it; and

WHEREAS, The form of breast cancer known as Triple Negative Breast Cancer accounts for about fifteen to twenty percent of all diagnosed, invasive breast cancer cases in the United States; and

WHEREAS, More than fifty-three thousand seven hundred new breast cancer cases in 2019 in the United States were Triple Negative Breast Cancer with higher prevalence among younger women, Black and Hispanic women, women with type 2 diabetes or carrying excess weight in the abdomen area, and those with BRCA1 mutations; and

WHEREAS, Due to its aggressive behavior, Triple Negative Breast Cancer grows quickly and is not only more likely to have spread by the time it is discovered, it also is more likely than other types of breast cancer to come back after treatment; and

WHEREAS, People diagnosed with metastatic Triple Negative Breast Cancer have less than a thirty percent chance of surviving past five years; and

WHEREAS, Triple Negative Breast Cancer cells do not contain three key receptors that medicines typically target in other types of breast cancers, meaning there are limited treatment

options, although patients with an early diagnosis can often be treated with chemotherapy, radiation, and surgery; and

WHEREAS, Recent innovation in targeted therapies have fueled advances in the fight against Triple Negative Breast Cancer, although limits on available therapies continue to make treating this disease a challenge; and

WHEREAS, Advances in breast cancer screening and treatment over the past few decades have reduced the overall breast cancer mortality rate, yet the disproportionate impact of Triple Negative Breast Cancer on racial and ethnic minority communities raises questions about what drives the disparities; and

WHEREAS, Only seventy-five percent of women in Washington have had a mammogram screening in the past two years; and

WHEREAS, It is necessary to promote Triple Negative Breast Cancer education, raise awareness about the disease-related disparities, and tackle inequities within the health care delivery system such as inadequate access to screening, diagnostic testing, and care, to improve early detection and survival; and

WHEREAS, Governor Jay Inslee is issuing a proclamation today celebrating the month of March as Triple Negative Breast Cancer Awareness Month;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the Governor's proclamation, and together, honor the month of March as Triple Negative Breast Cancer Awareness Month; and

BE IT FURTHER RESOLVED, That the Senate encourage awareness and education about Triple Negative Breast Cancer and patient access to care, services, and medicines along the entire continuum of care.

Senators Wilson, L. and Saldaña spoke in favor of adoption of the resolution.

MOTION

On motion of Senator Wagoner, Senators Boehnke and Hawkins were excused.

MOTION

On motion of Senator Nobles, Senator Van De Wege was excused.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8617.

The motion by Senator Wilson, L. carried, and the resolution was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the Senate reverted to the seventh order of business.

THIRD READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kauffman moved that Sarah R. Lawson, Senate gubernatorial Appointment No. 9186, be confirmed as a member of the Gambling Commission.

Senator Kauffman spoke in favor of the motion.

APPOINTMENT OF SARAH R. LAWSON

The President declared the question before the Senate to be the confirmation of Sarah R. Lawson, Senate Gubernatorial Appointment No. 9186, as a member of the Gambling Commission.

The Secretary called the roll on the confirmation of Sarah R. Lawson, Senate Gubernatorial Appointment No. 9186, as a member of the Gambling Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

Sarah R. Lawson, Senate Gubernatorial Appointment No. 9186, having received the constitutional majority was declared confirmed as a member of the Gambling Commission.

### THIRD READING

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

Senator Frame moved that Lowel J. Krueger, Senate Gubernatorial Appointment No. 9205, be confirmed as a member of the Housing Finance Commission.

Senators Frame, Fortunato and King spoke in favor of passage of the motion.

#### APPOINTMENT OF LOWEL J. KRUEGER

The President declared the question before the Senate to be the confirmation of Lowel J. Krueger, Senate Gubernatorial Appointment No. 9205, as a member of the Housing Finance Commission.

The Secretary called the roll on the confirmation of Lowel J. Krueger, Senate Gubernatorial Appointment No. 9205, as a member of the Housing Finance Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

Lowel J. Krueger, Senate Gubernatorial Appointment No. 9205, having received the constitutional majority was declared confirmed as a member of the Housing Finance Commission.

### THIRD READING

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

Senator Cleveland moved that Alishia F. Topper, Senate Gubernatorial Appointment No. 9206, be confirmed as a member of the Housing Finance Commission.

Senators Cleveland, Fortunato and Rivers spoke in favor of passage of the motion.

#### APPOINTMENT OF ALISHIA F. TOPPER

The President declared the question before the Senate to be the confirmation of Alishia F. Topper, Senate Gubernatorial Appointment No. 9206, as a member of the Housing Finance Commission.

The Secretary called the roll on the confirmation of Alishia F. Topper, Senate Gubernatorial Appointment No. 9206, as a member of the Housing Finance Commission and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

Alishia F. Topper, Senate Gubernatorial Appointment No. 9206, having received the constitutional majority was declared confirmed as a member of the Housing Finance Commission.

### THIRD READING

#### CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

Senator Hunt moved that Ann E. Simons, Senate Gubernatorial Appointment No. 9265, be confirmed as a member of the Washington State Women's Commission.

Senators Hunt, Rivers and Wellman spoke in favor of passage of the motion.

Senators Wilson, J., Fortunato and Dozier spoke against passage of the motion.

#### APPOINTMENT OF ANN E. SIMONS

The President declared the question before the Senate to be the confirmation of Ann E. Simons, Senate Gubernatorial Appointment No. 9265, as a member of the Washington State Women's Commission.

The Secretary called the roll on the confirmation of Ann E. Simons, Senate Gubernatorial Appointment No. 9265, as a member of the Washington State Women's Commission and the appointment was confirmed by the following vote: Yeas, 36; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Gildon, Hasegawa, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Hawkins, Holy, MacEwen, McCune, Padden, Schoesler, Warnick, Wilson,

FIFTY SECOND DAY, MARCH 1, 2023

J. and Wilson, L.

Excused: Senator Boehnke

Ann E. Simons, Senate gubernatorial appointment No. 9265, having received the constitutional majority was declared confirmed as a member of the Washington State Women's Commission.

#### MOTION

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

#### SECOND READING

SENATE BILL NO. 5114, by Senators Wilson, C., Trudeau, Frame, Hasegawa, Kuderer, Liias, Lovelett, Nguyen, Nobles, Pedersen, Randall, Saldaña, Stanford, Valdez, Warnick and Wellman

Supporting adults with lived experience of sex trafficking.

#### MOTIONS

On motion of Senator Wilson, C., Substitute Senate Bill No. 5114 was substituted for Senate Bill No. 5114 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, C., the rules were suspended, Substitute Senate Bill No. 5114 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and McCune 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. 5114.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5114 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5114, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5453, by Senators Keiser, Dhingra, Cleveland, Nguyen, Saldaña and Valdez

Concerning female genital mutilation.

#### MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5453 was substituted for Senate Bill No. 5453 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 5453 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser, Padden, King, Rivers, Torres and McCune 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. 5453.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5453 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5453, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5457, by Senators Short, Lovelett, Kuderer and Shewmake

Implementing growth management task force legislative recommendations regarding small cities.

The measure was read the second time.

#### MOTION

On motion of Senator Short, the rules were suspended, Senate Bill No. 5457 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Short and Lovelett 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. 5457.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5457 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres,

Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SENATE BILL NO. 5457, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5490, by Senators Rolfes, Conway, Hunt, Lovick, Saldaña and Wilson, C.

Concerning health care coverage for retired or disabled employees denied coverage for failure to timely notify the authority of their intent to defer coverage.

#### MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5490 was substituted for Senate Bill No. 5490 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5490 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5490.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5490 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5490, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 10:16 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Warnick announced a meeting of the Republican Caucus.

Senator Hasegawa announced a meeting of the Democratic Caucus.

----

The Senate was called to order at 11:15 a.m. by the President of the Senate, Lt. Governor Heck presiding.

#### SECOND READING

SENATE BILL NO. 5355, by Senators Wilson, C., Kuderer, Lovelett, Nguyen, Randall, Valdez and Wellman

Mandating instruction on sex trafficking prevention and identification for students in grades seven through 12.

The measure was read the second time.

#### MOTION

Senator Wilson, C. moved that the following amendment no. 0058 by Senator Wilson, C. be adopted:

On page 3, line 3, after "the" strike "2024-25" and insert "2025-26"

On page 3, line 6, after "be" strike "a stand-alone course or"

On page 3, after line 23, insert the following:

"NEW SECTION. Sec. 3. A new section is added to chapter 28A.300 RCW to read as follows:

The child sexual abuse and sex trafficking prevention and identification public-private partnership account is created in the custody of the state treasurer. All receipts from gifts, grants, or endowments from public or private sources, federal funds, and any appropriations made by the legislature or other sources must be deposited into the account. Expenditures from the account may be used only for curriculum and professional development to support instruction on child sexual abuse and sex trafficking prevention and identification. Only the superintendent of public instruction or the superintendent's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures."

On page 1, line 3 of the title, after "RCW;" insert "adding a new section to chapter 28A.300 RCW;"

Senator Wilson, C. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0058 by Senator Wilson, C. on page 3, line 3 to Senate Bill No. 5355.

The motion by Senator Wilson, C. carried and amendment no. 0058 was adopted by voice vote.

#### MOTION

Senator MacEwen moved that the following amendment no. 0085 by Senator MacEwen be adopted:

On page 3, line 3, after "year" insert "and subject to the availability of amounts appropriated for this specific purpose"

Senator MacEwen spoke in favor of adoption of the amendment.

Senator Wilson, C. spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0085 by Senator MacEwen on page 3, line 3 to Senate Bill No. 5355.

The motion by Senator MacEwen did not carry and amendment no. 0085 was not adopted by voice vote.

#### MOTION

Senator Wagoner moved that the following amendment no.

FIFTY SECOND DAY, MARCH 1, 2023

0082 by Senator Wagoner be adopted:

On page 3, line 4, after "districts" strike "must" and insert "may"

On page 3, line 10, after "instruction" strike "required"

On page 3, line 10, after "section" strike "must" and insert "may"

On page 1, line 1 of the title, after "to" strike "mandating" and insert "allowing"

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

Senator Wilson, C. spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0082 by Senator Wagoner on page 3, line 4 to Senate Bill No. 5355.

The motion by Senator Wagoner did not carry and amendment no. 0082 was not adopted by voice vote.

#### MOTION

On motion of Senator Wilson, C., the rules were suspended, Engrossed Senate Bill No. 5355 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C., Hawkins, Wagoner and McCune 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. 5355.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5355 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

ENGROSSED SENATE BILL NO. 5355, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### INTRODUCTION OF SPECIAL GUEST

The President welcomed and introduced Miss Ria Bahadur, an advocate for Senate Bill No. 5355, who was seated in the gallery.

#### SECOND READING

SENATE BILL NO. 5550, by Senators Liias, Randall, Valdez, Lovick, Wilson, C., Lovelett, Kauffman, Shewmake, Hasegawa, Hunt, Keiser, Nguyen, Nobles, Robinson and Van De Wege

Addressing workforce development issues, including cultural issues, at the Washington state ferries.

The measure was read the second time.

#### MOTION

On motion of Senator Liias, the rules were suspended, Senate Bill No. 5550 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5550.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5550 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Fortunato, McCune and Padden

Excused: Senator Boehnke

SENATE BILL NO. 5550, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5743, by Senators Liias and Billig

Making certain nonsubstantive, corrective changes resulting from enactment of chapter 182, Laws of 2022 (transportation resources).

#### MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5743 was substituted for Senate Bill No. 5743 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 5743 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5743.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5743 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres,



Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.  
Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5743, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5531, by Senators King, Shewmake and Nobles

Concerning special use permits for milk product haulers.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Senate Bill No. 5531 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King, Lias and Muzzall spoke in favor of passage of the bill.

Senator Schoesler spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5531.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5531 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SENATE BILL NO. 5531, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5419, by Senators Gildon, Billig, Lias, Mullet and Wilson, C.

Removing a Washington state institute of public policy outcome evaluation requirement.

The measure was read the second time.

MOTION

On motion of Senator Gildon, the rules were suspended, Senate Bill No. 5419 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Gildon and Wilson, C. 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. 5419.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5419 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SENATE BILL NO. 5419, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 11:59 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

---

AFTERNOON SESSION

---

The Senate was called to order at 3:00 p.m. by President Heck.

SECOND READING

SENATE BILL NO. 5614, by Senators Saldaña, Nguyen and Wilson, C.

Concerning adult entertainment establishments.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 5614 was substituted for Senate Bill No. 5614 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Saldaña moved that the following amendment no. 0092 by Senator Saldaña be adopted:

On page 4, line 9, after "one" insert "dedicated"

On page 4, line 9, after "hours." insert "Between the hours of 9:00 a.m. and 9:00 p.m., the dedicated security person's primary duty is security, between the hours of 9:00 p.m. and 9:00 a.m. the dedicated security person must have no other duties."

On page 6, line 33, after "any" strike "fee that is" and insert "fees or other charges that, separately or when combined, are"

On page 7, line 15, after "charge" insert ", subject to the limitations of (a)(i) of this subsection"

On page 9, line 7, after "(10)" insert "WAC 314-11-050 does not apply to an adult entertainment nightclub licensed under this"

FIFTY SECOND DAY, MARCH 1, 2023

section.

(11)"

On page 9, beginning on line 13, strike all of section 7

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

Senators Saldaña and King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0092 by Senator Saldaña on page 4, line 9 to Substitute Senate Bill No. 5614.

The motion by Senator Saldaña carried and amendment no. 0092 was adopted by voice vote.

#### MOTION

Senator Stanford moved that the following amendment no. 0116 by Senator Stanford be adopted:

On page 7, line 39, after "(4)" insert "No adult entertainment establishment may allow any person under the age of 18 on the premises of the establishment.

(5)"

Senator Stanford spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0116 by Senator Stanford on page 7, line 39 to Substitute Senate Bill No. 5614.

The motion by Senator Stanford carried and amendment no. 0116 was adopted by voice vote.

#### MOTION

Senator Rolfes moved that the following amendment no. 0095 by Senator Rolfes be adopted:

On page 8, beginning on line 17, after "(3)" strike all material through "(b)" on line 19

Senator Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0095 by Senator Rolfes on page 8, line 17 to Substitute Senate Bill No. 5614.

The motion by Senator Rolfes carried and amendment no. 0095 was adopted by voice vote.

#### MOTION

On motion of Senator Saldaña, the rules were suspended, Engrossed Substitute Senate Bill No. 5614 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5614.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5614 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick,

MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Wellman and Wilson, C.

Voting nay: Senators Fortunato, Hawkins, McCune, Padden, Short, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Boehnke

ENGROSSED SUBSTITUTE SENATE BILL NO. 5614, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5447, by Senators Billig, King, Nguyen, MacEwen, Mullet, Wellman, Gildon, Keiser, Shewmake, Lovick, Boehnke, Warnick, Randall, Conway, Dhingra, Dozier, Liias, Lovelett, Saldaña, Stanford, Van De Wege and Wagoner

Promoting the alternative jet fuel industry in Washington.

#### MOTION

On motion of Senator Billig, Substitute Senate Bill No. 5447 was substituted for Senate Bill No. 5447 and the substitute bill was placed on the second reading and read the second time.

#### WITHDRAWAL OF AMENDMENT

On motion of Senator Hasegawa and without objection, striking amendment no. 0115 by Senator Hasegawa to Substitute Senate Bill No. 5447 was withdrawn.

#### MOTION

On motion of Senator Pedersen, further consideration of Substitute Senate Bill No. 5447 was deferred, and the bill held its place on the second reading calendar.

#### SECOND READING

SENATE BILL NO. 5466, by Senators Liias, Gildon, Kuderer, Lovelett, MacEwen, Mullet, Braun, Billig, Dhingra, Frame, Hunt, Kauffman, Nguyen, Nobles, Pedersen, Saldaña, Salomon, Shewmake, Stanford, Valdez, Van De Wege and Wilson, C.

Promoting transit-oriented development.

#### MOTION

On motion of Senator Liias, Substitute Senate Bill No. 5466 was substituted for Senate Bill No. 5466 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Lovelett moved that the following amendment no. 0113 by Senators Rolfes and Lovelett be adopted:

On page 1, line 14, after "development." insert "The legislature also intends new development to reflect the state's commitment to vibrant, walkable, accessible urban environments that improve health, expand multimodal transportation options, and include varied community facilities, parks, and green spaces that are open to people of all income levels."

would make on-street parking infeasible or unsafe for the authorized units."

Senator Rolfes spoke in favor of adoption of the amendment. The President declared the question before the Senate to be the adoption of amendment no. 0113 by Senators Rolfes and Lovelett on page 1, line 14 to Substitute Senate Bill No. 5466. The motion by Senator Lovelett carried and amendment no. 0113 was adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 0098 by Senators Short and Liias be adopted:

On page 6, line 19, after "(15)" insert "Frequent bus stop means a fixed route transit stop providing frequent transit service that operates seven days per week with a minimum of three buses per hour for a span of at least 10 hours per day during weekdays.

(16)" Renumber the remaining subsections consecutively and correct any internal references accordingly.

On page 7, line 8, after "rail:" insert "or" On page 7, beginning on line 10, after "lanes" strike all material through "weekdays" on line 13

Correct any internal references accordingly. On page 9, line 12, after "stop" insert ", or fully or partially within a half-mile walking distance of a frequent bus stop"

Senators Short and Lovelett spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0098 by Senators Short and Liias on page 6, line 19 to Substitute Senate Bill No. 5466.

The motion by Senator Short carried and amendment no. 0098 was adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 0091 by Senator Padden be adopted:

On page 7, line 8, after "rail:" insert "or" On page 7, beginning on line 10, after "lanes" strike all material through "weekdays" on line 13 Correct any internal references accordingly.

Senator Padden spoke in favor of adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, amendment no. 0091 by Senator Padden on page 6, line 19 to Substitute Senate Bill No. 5466 was withdrawn.

MOTION

Senator Kauffman moved that the following amendment no. 0114 by Senators Kauffman and Liias be adopted:

On page 17, line 12, after "unit)" insert "(1)" On page 17, at the beginning of line 18, insert "(2)" On page 17, after line 22, insert the following: "(3) The parking provisions of this section do not apply if the city or county consults with the department of transportation and the city or county and the department of transportation determine that the lack of minimum parking requirements in a defined area

Senators Kauffman and Wagoner spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0114 by Senators Kauffman and Liias on page 17, line 12 to Substitute Senate Bill No. 5466.

The motion by Senator Kauffman carried and amendment no. 0114 was adopted by voice vote.

MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute Senate Bill No. 5466 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, Fortunato, Torres, Mullet, King, Trudeau, Rolfes, Rivers and Gildon spoke in favor of passage of the bill. Senator Wagoner spoke against passage of the bill. Senators Conway and Hasegawa spoke on passage of the bill.

POINT OF INQUIRY

Senator Rolfes: "Senator Liias, is it the intention of this bill to require high density transit-oriented development at bus stops with more than three buses an hour?"

Senator Liias: "Thank you for that very thoughtful question, Senator Rolfes. It, as we worked with Senator Short, the intention is where there are fixed routes, for example route number 101, where there are busses that come more than three times an hour, so are high-capacity bus service at the local level, that that's where we would be, in that half mile zone that Senator Short's amendment proposes. I read the language and realize that it could be read multiple different ways and I know that Senator Short and I will work diligently to make sure that this get clarified as the bill continues on its course to the Governor's desk."

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5466.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5466 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Dhingra, Fortunato, Frame, Gildon, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Conway, Dozier, Hasegawa, McCune, Schoesler, Wagoner, Warnick and Wilson, J. Excused: Senator Boehnke

ENGROSSED SUBSTITUTE SENATE BILL NO. 5466, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate resumed consideration of Substitute Senate Bill No. 5447 which had been deferred earlier in the day.

FIFTY SECOND DAY, MARCH 1, 2023

SECOND READING

SUBSTITUTE SENATE BILL NO. 5447, by Senate Committee on Environment, Energy & Technology (originally sponsored by Billig, King, Nguyen, MacEwen, Mullet, Wellman, Gildon, Keiser, Shewmake, Lovick, Boehnke, Warnick, Randall, Conway, Dhingra, Dozier, Liias, Lovelett, Saldaña, Stanford, Van De Wege and Wagoner)

Promoting the alternative jet fuel industry in Washington.

MOTION

Senator Hasegawa moved that the following striking amendment no. 0120 by Senator Hasegawa be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature intends to use funds from the climate commitment act to promote the production and use of sustainable aviation fuels, thereby growing the clean energy sector, addressing greenhouse gas emissions, and creating family wage manufacturing jobs in Washington. Sustainable aviation fuels represent the most significant near and midterm opportunity for aviation to reduce its greenhouse gas emissions. The use of sustainable aviation fuels will also improve air quality for airport workers and communities surrounding airports. While many efforts are underway to advance the use of sustainable aviation fuels, this act is intended to assist and accelerate those efforts.

**PART I**

**TREATMENT OF ALTERNATIVE JET FUELS**

**Sec. 2.** RCW 70A.535.010 and 2022 c 182 s 409 are each amended to read as follows:

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

(1) "Carbon dioxide equivalents" has the same meaning as defined in RCW 70A.45.010.

(2) "Carbon intensity" means the quantity of life-cycle greenhouse gas emissions, per unit of fuel energy, expressed in grams of carbon dioxide equivalent per megajoule (gCO<sub>2</sub>e/MJ).

(3) "Clean fuels program" means the requirements established under this chapter.

(4) "Cost" means an expense connected to the manufacture, distribution, or other aspects of the provision of a transportation fuel product.

(5) "Credit" means a unit of measure generated when a transportation fuel with a carbon intensity that is less than the applicable standard adopted by the department under RCW 70A.535.025 is produced, imported, or dispensed for use in Washington, such that one credit is equal to one metric ton of carbon dioxide equivalents. A credit may also be generated through other activities consistent with this chapter.

(6) "Deficit" means a unit of measure generated when a transportation fuel with a carbon intensity that is greater than the applicable standard adopted by the department under RCW 70A.535.025 is produced, imported, or dispensed for use in Washington, such that one deficit is equal to one metric ton of carbon dioxide equivalents.

(7) "Department" means the department of ecology.

(8) "Electric utility" means a consumer-owned utility or investor-owned utility, as those terms are defined in RCW 19.29A.010.

(9) "Greenhouse gas" has the same meaning as defined in RCW 70A.45.010.

(10) "Military tactical vehicle" means a motor vehicle owned by the United States department of defense or the United States military services and that is used in combat, combat support, combat service support, tactical or relief operations, or training for such operations.

(11) "Motor vehicle" has the same meaning as defined in RCW 46.04.320.

(12) "Price" means the amount of payment or compensation provided as consideration for a specified quantity of transportation fuel by a consumer or end user of the transportation fuel.

(13) "Regulated party" means a producer or importer of any amount of a transportation fuel that is ineligible to generate credits under this chapter.

(14)(a) "Tactical support equipment" means equipment using a portable engine, including turbines, that meets military specifications, owned by the United States military services or its allies, and that is used in combat, combat support, combat service support, tactical or relief operations, or training for such operations.

(b) "Tactical support equipment" includes, but is not limited to, engines associated with portable generators, aircraft start carts, heaters, and lighting carts.

(15) "Transportation fuel" means electricity and any liquid or gaseous fuel sold, supplied, offered for sale, or used for the propulsion of a motor vehicle or that is intended for use for transportation purposes.

(16) "Alternative jet fuel" means a fuel made from petroleum or nonpetroleum sources that can be blended and used with conventional petroleum jet fuels without the need to modify aircraft engines and existing fuel distribution infrastructure, and that have a lower carbon intensity than the applicable annual carbon intensity standard in Table 2 of WAC 173-424-900, as it existed on the effective date of this section. Alternative jet fuel includes jet fuels derived from coprocessed feedstocks at a conventional petroleum refinery.

**NEW SECTION. Sec. 3.** A new section is added to chapter 70A.535 RCW to read as follows:

(1) By no later than December 31, 2023, the department must allow one or more carbon intensity pathways for alternative jet fuel.

(2) The department must allow biomethane to be claimed as the feedstock for renewable diesel and alternative jet fuel consistent with that allowable for compressed natural gas, liquified natural gas, liquified compressed natural gas, or hydrogen production.

(3) The department must notify the department of revenue within 30 days when one or more facilities capable of producing a cumulative production capacity of at least 20,000,000 gallons of alternative jet fuel each year are operating in this state.

**NEW SECTION. Sec. 4.** A new section is added to chapter 28B.30 RCW to read as follows:

(1) Washington State University must convene an alternative jet fuels work group to further the development of alternative jet fuel as a productive industry in Washington. The work group must include members from the legislature and sectors involved in alternative jet fuel research, development, production, and utilization. The work group must provide a report including any pertinent recommendations to the governor and appropriate committees of the legislature by December 1, 2024, and December 1st of every even-numbered year until December 1, 2028.

(2) This section expires January 1, 2029.

**Sec. 5.** RCW 43.330.565 and 2022 c 292 s 102 are each amended to read as follows:

(1) The statewide office of renewable fuels is established

within the department. The office shall report to the director of the department. The office may employ staff as necessary to carry out the office's duties as prescribed by chapter 292, Laws of 2022, subject to the availability of amounts appropriated for this specific purpose.

(2) The purpose of the office is to leverage, support, and integrate with other state agencies to:

(a) Accelerate comprehensive market development with assistance along the entire life cycle of renewable fuel projects;

(b) Support research into and development and deployment of renewable fuel and the production, distribution, and use of renewable and green electrolytic hydrogen and their derivatives, as well as product engineering and manufacturing relating to the production and use of such hydrogen and its derivatives;

(c) Drive job creation, improve economic vitality, and support the transition to clean energy;

(d) Further the development and use of alternative jet fuels as a productive industry in Washington;

(e) Enhance resiliency by using renewable fuels, alternative jet fuels, and green electrolytic hydrogen to support climate change mitigation and adaptations; and

~~((e))~~ (f) Partner with overburdened communities to ensure communities equitably benefit from renewable and clean fuels efforts.

**Sec. 6.** RCW 43.330.570 and 2022 c 292 s 103 are each amended to read as follows:

(1) The office shall:

(a) Coordinate with federally recognized tribes, local government, state agencies, federal agencies, private entities, the state's public four-year institutions of higher education, labor unions, and others to facilitate and promote multi-institution collaborations to drive research, development, and deployment efforts in the production, distribution, and use of alternative jet fuels and renewable fuels including, but not limited to, green electrolytic hydrogen;

(b) Review existing renewable fuels, alternative jet fuels, and green electrolytic hydrogen initiatives, policies, and public and private investments, and tax and regulatory incentives, including assessment of adequacy of feedstock supply and in-state feedstock, renewable fuels, and alternative jet fuels production;

(c) Consider funding opportunities that provide for the coordination of public and private funds for the purposes of developing and deploying renewable fuels, alternative jet fuels, and green electrolytic hydrogen;

(d) Assess opportunities for and barriers to deployment of renewable fuels, alternative jet fuels, and green electrolytic hydrogen in hard to decarbonize sectors of the state economy;

(e) Request recommendations from the Washington state association of fire marshals regarding fire and other safety standards adopted by the United States department of energy and recognized national and international fire and safety code development authorities regarding renewable fuels, alternative jet fuels, and green electrolytic hydrogen;

(f) By December 1, 2023, develop a plan and recommendations for consideration by the legislature and governor on renewable fuels and green electrolytic hydrogen policy and public funding including, but not limited to, project permitting, state procurement, and pilot projects; and

(g) Encourage new and support existing public-private partnerships to increase coordinated planning and deployment of renewable fuels, alternative jet fuels, and green electrolytic hydrogen.

(2) The office may take all appropriate steps to seek and apply for federal funds for which the office is eligible, and other grants, and accept donations, and must deposit these funds in the

renewable fuels accelerator account created in RCW 43.330.575.

(3) In carrying out its duties, the office must collaborate with the department, the department of ecology, the department of transportation, the utilities and transportation commission, electric utilities in Washington state, the Washington State University extension energy program, the alternative jet fuel work group established in section 4 of this act, and all other relevant state agencies. The office must also consult with and seek to involve federally recognized tribes, project developers, labor and industry trade groups, and other interested parties, in the development of policy analysis and recommended programs or projects.

(4) The office may cooperate with other state agencies in compiling data regarding the use of renewable fuels and green electrolytic hydrogen in state operations, including motor vehicle fleets, the state ferry system, and nonroad equipment.

**NEW SECTION. Sec. 7.** A new section is added to chapter 28B.30 RCW to read as follows:

(1) Washington State University, in collaboration with the University of Washington's department of environmental and occupational health, must calculate emissions of ultrafine and fine particulate matter and sulfur oxides in communities surrounding an international airport owned by a port district in a county with a population greater than 1,500,000 and report that information to the joint legislative audit and review committee by December 1, 2024, and December 1st of each year until such time as the joint legislative audit and review committee has completed its final report on the tax preferences contained in sections 9 through 12 of this act. The report must include emissions data for areas near airport runways and under flight paths up to 3,000 feet in elevation. The report must also include an analysis of any reduction in emissions relative to the amount of alternative jet fuel used for flights departing the airport. Washington State University may access and use any data necessary to complete the reporting requirements of this section.

(2) To facilitate the calculation required in subsection (1) of this section, an international airport owned by a port district in a county with a population greater than 1,500,000 must report to Washington State University the total annual volume of alternative jet fuel used for flights departing the airport by October 1, 2024, and October 1st of each year until such time as the joint legislative audit and review committee has completed its final report on the tax preferences contained in sections 9 through 12 of this act.

**PART II**

**ALTERNATIVE JET FUEL TAX INCENTIVES**

**NEW SECTION. Sec. 8.** (1) This section is the tax preference performance statement for the tax preferences contained in sections 9 through 12, chapter . . . , Laws of 2023 (sections 9 through 12 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preferences. It is not intended to create a private right of action by any party or to be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes these tax preferences as ones intended to improve industry competitiveness as indicated in RCW 82.32.808(2)(b).

(3) It is the legislature's specific public policy objective to encourage the production and use of alternative jet fuels. It is also the legislature's intent to support the development of the alternative jet fuels industry in Washington by providing targeted tax relief for such businesses.

(4) The legislature intends to extend the expiration date of the tax preferences contained in this act if a review finds:

(a) An increase in the production and use of alternative jet fuels

FIFTY SECOND DAY, MARCH 1, 2023

in Washington by persons claiming the tax preferences in this act;

(b) That the production and use of alternative jet fuels in this state does not result in additional pollution including, but not limited to, pollution from per-and polyfluoroalkyl substances, noxious gases, ultrafine particles, lead, or other metals; and

(c) That the alternative jet fuel industry has created measurable economic growth in Washington.

(5) The review conducted by the joint legislative audit and review committee must include a racial equity analysis on air travel-related pollution in communities near an international airport owned by a port district in a county with a population greater than 1,500,000.

(6) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee may access and use data from an international airport owned by a port district in a county with a population greater than 1,500,000, the University of Washington, reports compiled by the Washington State University pursuant to section 7 of this act, and any other data collected by the state as it deems necessary.

(7) The joint legislative audit and review committee must complete a preliminary report by December 1, 2032.

**NEW SECTION. Sec. 9.** A new section is added to chapter 82.04 RCW to read as follows:

(1) Upon every person engaging within the state in the business of manufacturing alternative jet fuel; as to such persons, the amount of the tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of 0.275 percent.

(2) Upon every person engaging in making sales, at retail or wholesale, of manufactured alternative jet fuel; as to such persons, the amount of the tax with respect to such business is equal to the gross proceeds of sales of the alternative jet fuel, multiplied by the rate of 0.275 percent.

(3) For the purposes of this section, "alternative jet fuel" has the same meaning as in RCW 70A.535.010.

(4) A person reporting under the tax rate provided in this section must file a complete annual tax performance report with the department under RCW 82.32.534.

(5)(a) The tax rate under subsections (1) and (2) of this section takes effect on the first day of the first calendar quarter following the month in which the department receives notice from the department of ecology that there are one or more facilities operating in this state with a cumulative production capacity of at least 20,000,000 gallons of alternative jet fuel each year, as required in section 3 of this act.

(b) The tax rate expires nine calendar years after the close of the calendar year in which the tax rate under subsections (1) and (2) of this section takes effect.

**NEW SECTION. Sec. 10.** A new section is added to chapter 82.04 RCW to read as follows:

(1)(a) Subject to the limits and provisions of this section, a credit is allowed against the tax otherwise due under this chapter for persons engaged in the manufacturing of alternative jet fuel.

(b) Except as provided in (c) of this subsection, the credit under this section is equal to \$1 for each gallon of alternative jet fuel that has at least 50 percent less carbon dioxide equivalent emissions than conventional jet fuel and is sold during the prior calendar year by:

(i) A business that produces alternative jet fuel and is located in a qualifying county; or

(ii) A business's designated alternative jet fuel blender that is located in this state.

(c) The credit amount under (b) of this subsection must increase

by 2 cents for each additional one percent reduction in carbon dioxide equivalent emissions beyond 50 percent, not to exceed \$2 for each gallon of alternative jet fuel.

(d) A person may not receive credit under both (b)(i) and (ii) of this subsection.

(e) The credit under this section is calculated only on the portion of jet fuel that is considered alternative jet fuel and does not include conventional jet fuel when such fuels are blended or otherwise used in a jet fuel mixture.

(f) A credit under this section may not be claimed until the department of ecology verifies that there are one or more facilities operating in this state with cumulative production capacity of at least 20,000,000 gallons of alternative jet fuel each year and has provided such notice to the department.

(g) Contract pricing for sales of alternative jet fuel between a person claiming the credit under this section and the final consumer must reflect the per gallon credit under (b) and (c) of this subsection.

(2) A person may not receive credit under this section for amounts claimed as credits under section 11 of this act or chapter 82.16 RCW.

(3) To claim a credit under this section a person must electronically file with the department all returns, forms, and any other information required by the department, in an electronic format as provided or approved by the department.

(4) To claim a credit under this section, the person applying must:

(a) Complete an application for the credit which must include:

(i) The name, business address, and tax identification number of the applicant;

(ii) Documentation of the total amount of alternative jet fuel manufactured and sold in the prior calendar year;

(iii) Documentation sufficient for the department to verify that the alternative jet fuel for which the credit is being claimed meets the carbon intensity reduction benchmarks under subsection (1)(b) and (c) of this section, as certified by the department of ecology under section 3 of this act;

(iv) Documentation sufficient to verify compliance with subsection (1)(g) of this section; and

(v) Any other information deemed necessary by the department to support administration or reporting of the program.

(b) Obtain a carbon intensity score from the department of ecology prior to submitting an application to the department.

(5) The department must notify applicants of credit approval or denial within 60 days of receipt of a final application and documentation.

(6) If a person fails to supply the information as required in subsection (4) of this section, the department must deny the application.

(7)(a) The credit under this section may only be claimed against taxes due under section 9 of this act, less any taxable amount for which a credit is allowed under RCW 82.04.440.

(b) A credit earned during one calendar year may be carried over and claimed against taxes incurred for the next subsequent calendar year but may not be carried over for any calendar year thereafter.

(c) No refunds may be granted for credits under this section.

(8) For the purposes of this section:

(a) "Alternative jet fuel" has the same meaning as in RCW 70A.535.010.

(b) "Carbon dioxide equivalent" has the same meaning as in RCW 70A.45.010.

(c) "Qualifying county" means a county that has a population less than 650,000 at the time an application for a credit under this section is received by the department.

(9)(a) Credits may be earned beginning on the first day of the first calendar quarter following the month in which notice under subsection (1)(f) of this section was received by the department.

(b) Credits may not be earned beginning nine calendar years after the close of the calendar year in which the credit may be earned, as provided in (a) of this subsection.

(10) A person claiming the credit provided in this section must file a complete annual tax performance report with the department under RCW 82.32.534.

**NEW SECTION. Sec. 11.** A new section is added to chapter 82.04 RCW to read as follows:

(1)(a) Subject to the limits and provisions of this section, a credit is allowed against the tax otherwise due under this chapter for persons engaged in the use of alternative jet fuel.

(b) Except as provided in (c) of this subsection, the credit under this section is equal to \$1 for each gallon of alternative jet fuel that has at least 50 percent less carbon dioxide equivalent emissions than conventional jet fuel and is purchased during the prior calendar year by a business for use as alternative jet fuel for flights departing in this state.

(c) The credit amount under (b) of this subsection must increase by 2 cents for each additional one percent reduction in carbon dioxide equivalent emissions beyond 50 percent, not to exceed \$2 for each gallon of alternative jet fuel.

(d) The credit under this section is calculated only on the portion of jet fuel that is considered alternative jet fuel and does not include conventional jet fuel when such fuels are blended or otherwise used in a jet fuel mixture.

(e) A credit under this section may not be claimed until the department of ecology verifies that there are one or more facilities operating in this state with cumulative production capacity of at least 20,000,000 gallons of alternative jet fuel each year and has provided such notice to the department.

(2) A person may not receive credit under this section for amounts claimed as credits under section 10 of this act or chapter 82.16 RCW.

(3) To claim a credit under this section a person must electronically file with the department all returns, forms, and any other information required by the department, in an electronic format as provided or approved by the department.

(4) To claim a credit under this section, the person applying must:

(a) Complete an application for the credit which must include:

(i) The name, business address, and tax identification number of the applicant;

(ii) Documentation of the amount of alternative jet fuel purchased by the business in the prior calendar year;

(iii) Documentation sufficient for the department to verify that the alternative jet fuel for which the credit is being claimed meets the carbon intensity reduction benchmarks under subsection (1)(b) and (c) of this section, as certified by the department of ecology under section 3 of this act; and

(iv) Any other information deemed necessary by the department to support administration or reporting of the program.

(b) Obtain a carbon intensity score from the department of ecology prior to submitting an application to the department.

(5) The department must notify applicants of credit approval or denial within 60 days of receipt of a final application and documentation.

(6) If a person fails to supply the information as required in subsection (4) of this section, the department must deny the application.

(7)(a) The credit under this section may be used against any tax due under this chapter.

(b) A credit earned during one calendar year may be carried

over and claimed against taxes incurred for the next subsequent calendar year but may not be carried over for any calendar year thereafter.

(c) No refunds may be granted for credits under this section.

(8) For the purposes of this section:

(a) "Alternative jet fuel" has the same meaning as in RCW 70A.535.010.

(b) "Carbon dioxide equivalent" has the same meaning as in RCW 70A.45.010.

(9)(a) Credits may be earned beginning on the first day of the first calendar quarter following the month in which notice under subsection (1)(e) of this section was received by the department.

(b) Credits may not be earned beginning nine calendar years after the close of the calendar year in which the credit may be earned, as provided in (a) of this subsection.

(10) A person claiming the credit provided in this section must file a complete annual tax performance report with the department under RCW 82.32.534.

**NEW SECTION. Sec. 12.** A new section is added to chapter 82.16 RCW to read as follows:

(1)(a) Subject to the limits and provisions of this section, a credit is allowed against the tax otherwise due under this chapter for persons engaged in the use of alternative jet fuel.

(b) Except as provided in (c) of this subsection, the credit under this section is equal to \$1 for each gallon of alternative jet fuel that has at least 50 percent less carbon dioxide equivalent emissions than conventional jet fuel and is purchased during the prior calendar year by a business for use as alternative jet fuel for flights departing in this state.

(c) The credit amount under (b) of this subsection must increase by 2 cents for each additional one percent reduction in carbon dioxide equivalent emissions beyond 50 percent, not to exceed \$2 for each gallon of alternative jet fuel.

(d) The credit under this section is calculated only on the portion of jet fuel that is considered alternative jet fuel and does not include conventional jet fuel when such fuels are blended or otherwise used in a jet fuel mixture.

(e) A credit under this section may not be claimed until the department of ecology verifies that there are one or more facilities operating in this state with cumulative production capacity of at least 20,000,000 gallons of alternative jet fuel each year and has provided such notice to the department.

(2) A person may not receive credit under this section for amounts claimed as credits under chapter 82.04 RCW.

(3) To claim a credit under this section a person must electronically file with the department all returns, forms, and any other information required by the department, in an electronic format as provided or approved by the department.

(4) To claim a credit under this section, the person applying must:

(a) Complete an application for the credit which must include:

(i) The name, business address, and tax identification number of the applicant;

(ii) Documentation of the amount of alternative jet fuel purchased by the business in the prior calendar year;

(iii) Documentation sufficient for the department to verify that the alternative jet fuel for which the credit is being claimed meets the carbon intensity reduction benchmarks under subsection (1)(b) and (c) of this section, as certified by the department of ecology under section 3 of this act; and

(iv) Any other information deemed necessary by the department to support administration or reporting of the program.

(b) Obtain a carbon intensity score from the department of ecology prior to submitting an application to the department.

(5) The department must notify applicants of credit approval or

FIFTY SECOND DAY, MARCH 1, 2023

denial within 60 days of receipt of a final application and documentation.

(6) If a person fails to supply the information as required in subsection (4) of this section, the department must deny the application.

(7)(a) The credit under this section may be used against any tax due under this chapter.

(b) A credit earned during one calendar year may be carried over and claimed against taxes incurred for the next subsequent calendar year but may not be carried over for any calendar year thereafter.

(c) No refunds may be granted for credits under this section.

(8) The definitions in section 11 of this act apply to this section.

(9)(a) Credits may be earned beginning on the first day of the first calendar quarter following the month in which notice under subsection (1)(e) of this section was received by the department.

(b) Credits may not be earned beginning nine calendar years after the close of the calendar year in which the credit may be earned, as provided in (a) of this subsection.

(10) A person claiming the credit provided in this section must file a complete annual tax performance report with the department under RCW 82.32.534.

**Sec. 13.** RCW 70A.65.260 and 2022 c 179 s 17 are each amended to read as follows:

(1) The climate commitment account is created in the state treasury. The account must receive moneys distributed to the account from the climate investment account created in RCW 70A.65.250. Moneys in the account may be spent only after appropriation. Projects, activities, and programs eligible for funding from the account must be physically located in Washington state and include, but are not limited to, the following:

(a) Implementing the working families' tax ((rebate)) credit in RCW 82.08.0206;

(b) Supplementing the growth management planning and environmental review fund established in RCW 36.70A.490 for the purpose of making grants or loans to local governments for the purposes set forth in RCW 43.21C.240, 43.21C.031, 36.70A.500, and 36.70A.600, for costs associated with RCW 36.70A.610, and to cover costs associated with the adoption of optional elements of comprehensive plans consistent with RCW 43.21C.420;

(c) Programs, activities, or projects that reduce and mitigate impacts from greenhouse gases and copollutants in overburdened communities, including strengthening the air quality monitoring network to measure, track, and better understand air pollution levels and trends and to inform the analysis, monitoring, and pollution reduction measures required in RCW 70A.65.020;

(d) Programs, activities, or projects that deploy renewable energy resources, such as solar and wind power, and projects to deploy distributed generation, energy storage, demand-side technologies and strategies, and other grid modernization projects;

(e) Programs, activities, or projects that increase the energy efficiency or reduce greenhouse gas emissions of industrial facilities including, but not limited to, proposals to implement combined heat and power, district energy, or on-site renewables, such as solar and wind power, to upgrade the energy efficiency of existing equipment, to reduce process emissions, and to switch to less emissions intensive fuel sources;

(f) Programs, activities, or projects that achieve energy efficiency or emissions reductions in the agricultural sector including:

(i) Fertilizer management;

(ii) Soil management;

(iii) Bioenergy;

(iv) Biofuels;

(v) Grants, rebates, and other financial incentives for agricultural harvesting equipment, heavy-duty trucks, agricultural pump engines, tractors, and other equipment used in agricultural operations;

(vi) Grants, loans, or any financial incentives to food processors to implement projects that reduce greenhouse gas emissions;

(vii) Renewable energy projects;

(viii) Farmworker housing weatherization programs;

(ix) Dairy digester research and development;

(x) Alternative manure management; and

(xi) Eligible fund uses under RCW 89.08.615;

(g) Programs, activities, or projects that increase energy efficiency in new and existing buildings, or that promote low carbon architecture, including use of newly emerging alternative building materials that result in a lower carbon footprint in the built environment over the life cycle of the building and component building materials;

(h) Programs, activities, or projects that promote the electrification and decarbonization of new and existing buildings, including residential, commercial, and industrial buildings;

(i) Programs, activities, or projects that improve energy efficiency, including district energy, and investments in market transformation of high efficiency electric appliances and equipment for space and water heating;

(j) Clean energy transition and assistance programs, activities, or projects that assist affected workers or people with lower incomes during the transition to a clean energy economy, or grow and expand clean manufacturing capacity in communities across Washington state including, but not limited to:

(i) Programs, activities, or projects that directly improve energy affordability and reduce the energy burden of people with lower incomes, as well as the higher transportation fuel burden of rural residents, such as bill assistance, energy efficiency, and weatherization programs;

(ii) Community renewable energy projects that allow qualifying participants to own or receive the benefits of those projects at reduced or no cost;

(iii) Programs, activities, or other worker-support projects for bargaining unit and nonsupervisory fossil fuel workers who are affected by the transition away from fossil fuels to a clean energy economy. Worker support may include, but is not limited to: (A) Full wage replacement, health benefits, and pension contributions for every worker within five years of retirement; (B) full wage replacement, health benefits, and pension contributions for every worker with at least one year of service for each year of service up to five years of service; (C) wage insurance for up to five years for workers reemployed who have more than five years of service; (D) up to two years of retraining costs, including tuition and related costs, based on in-state community and technical college costs; (E) peer counseling services during transition; (F) employment placement services, prioritizing employment in the clean energy sector; and (G) relocation expenses;

(iv) Direct investment in workforce development, via technical education, community college, institutions of higher education, apprenticeships, and other programs including, but not limited to:

(A) Initiatives to develop a forest health workforce established under RCW 76.04.521; and

(B) Initiatives to develop new education programs, emerging fields, or jobs pertaining to the clean energy economy;

(v) Transportation, municipal service delivery, and technology investments that increase a community's capacity for clean manufacturing, with an emphasis on communities in greatest need



of job creation and economic development and potential for commute reduction;

(k) Programs, activities, or projects that reduce emissions from landfills and waste-to-energy facilities through diversion of organic materials, methane capture or conversion strategies, installation of gas collection devices and gas control systems, monitoring and reporting of methane emissions, or other means, prioritizing funding needed for any activities by local governments to comply with chapter 70A.540 RCW;

(l) Carbon dioxide removal projects, programs, and activities; and

(m) Activities to support efforts to mitigate and adapt to the effects of climate change affecting Indian tribes, including capital investments in support of the relocation of Indian tribes located in areas at heightened risk due to anticipated sea level rise, flooding, or other disturbances caused by climate change. The legislature intends to dedicate at least \$50,000,000 per biennium from the account for purposes of this subsection.

(2) The state treasurer may, subject to funds appropriated for this specific purpose, transfer from the climate commitment account to the state general fund an amount equal to any reduction in state revenue from the preferential business and occupation tax rate under section 9 of this act and credits under sections 10 through 12 of this act for the prior calendar year, as annually determined by the department of revenue.

(3) Moneys in the account may not be used for projects or activities that would violate tribal treaty rights or result in significant long-term damage to critical habitat or ecological functions. Investments from this account must result in long-term environmental benefits and increased resilience to the impacts of climate change.

**NEW SECTION. Sec. 14.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 15.** RCW 82.32.805 does not apply to this act.

**NEW SECTION. Sec. 16.** Sections 9 through 13 of this act take effect July 1, 2024.

**NEW SECTION. Sec. 17.** Sections 1 through 7 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2023."

On page 1, line 2 of the title, after "Washington;" strike the remainder of the title and insert "amending RCW 70A.535.010, 43.330.565, 43.330.570, and 70A.65.260; adding a new section to chapter 70A.535 RCW; adding new sections to chapter 28B.30 RCW; adding new sections to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; creating new sections; providing effective dates; providing an expiration date; and declaring an emergency."

Senator Hasegawa spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 0120 by Senator Hasegawa to Substitute Senate Bill No. 5447.

The motion by Senator Hasegawa carried and striking amendment no. 0120 was adopted by voice vote.

#### MOTION

On motion of Senator Billig, the rules were suspended, Engrossed Substitute Senate Bill No. 5447 was advanced to third reading, the second reading considered the third and the bill was

placed on final passage.

Senators Billig, King, Fortunato and Hasegawa spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5447.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5447 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Schoesler and Wagoner

Excused: Senator Boehnke

ENGROSSED SUBSTITUTE SENATE BILL NO. 5447, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5583, by Senators Lias, Wilson, C., Kauffman, Valdez, Lovelett, Lovick, Nguyen and Nobles

Improving young driver safety.

#### MOTIONS

On motion of Senator Lias, Substitute Senate Bill No. 5583 was substituted for Senate Bill No. 5583 and the substitute bill was placed on the second reading and read the second time.

Senator Lias moved that the following amendment no. 0071 by Senator Lias be adopted:

On page 11, line 1, after "(5)" insert "By January 1, 2024, the department shall provide to the appropriate committees of the legislature an implementation plan for the voucher program."

On page 11, line 32, after "(3)" insert "By January 1, 2024, the superintendent, in collaboration with the department of licensing, shall provide to the appropriate committees of the legislature an implementation plan for the grant program."

On page 15, line 4, after "course" insert "or condensed traffic safety education course"

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

The President declared the question before the Senate to be the adoption of amendment no. 0071 by Senator Lias on page 11, line 1 to Substitute Senate Bill No. 5583.

The motion by Senator Lias carried and amendment no. 0071 was adopted by voice vote.

#### MOTION

On motion of Senator Lias, the rules were suspended, Engrossed Substitute Senate Bill No. 5583 was advanced to third

FIFTY SECOND DAY, MARCH 1, 2023

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

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5583.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5583 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Wagoner, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Mullet, Padden, Rolfes, Schoesler, Short, Van De Wege and Warnick

Excused: Senator Boehnke

ENGROSSED SUBSTITUTE SENATE BILL NO. 5583, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5217, by Senators Dhingra, Kauffman, Keiser, Kuderer, Lovelett, Nguyen, Nobles, Pedersen, Valdez and Wilson, C.

Concerning the state's ability to regulate certain industries and risk classes to prevent musculoskeletal injuries and disorders.

#### MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 5217 was substituted for Senate Bill No. 5217 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5217, by Committee on Labor & Commerce (originally sponsored by Senators Dhingra, Kauffman, Keiser, Kuderer, Lovelett, Nguyen, Nobles, Pedersen, Valdez, and C. Wilson)

Revised for first Substitute: Concerning the state's ability to regulate certain industries and risk classifications to prevent musculoskeletal injuries and disorders.

Senator Dhingra moved that the following striking amendment no. 0090 by Senator Dhingra be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature finds that the absence of the department of labor and industries' authority to regulate working practices to prevent musculoskeletal injuries and disorders has contributed to excess and avoidable claims and costs across the workers' compensation system for all employers in Washington, including those employers who maintain safer workplaces without high incidents of musculoskeletal injuries and disorders.

(2) The legislature finds that work-related musculoskeletal

injuries and disorders account for at least one-third of all workers' compensation claims that result in time loss and wage replacement; are more severe than the average nonfatal injury or illness; and are a common cause of long-term disability in Washington state.

(3) The legislature finds that many of Washington state's critical industries, including health care, are described by the federal bureau of labor statistics as high-risk industries for musculoskeletal injuries. These are also industries that are currently experiencing significant staffing shortages. Further, these injuries lead to high employer costs including absenteeism, decreased productivity, and increased costs for health care, disability, and workers' compensation, among other costs.

(4) The legislature therefore intends to repeal the prohibition on regulating working practices related to musculoskeletal injuries and disorders, thereby allowing targeted safety efforts to more effectively and efficiently prevent these workplace injuries. By removing this barrier, the legislature will restore the state's ability to more strategically address important workplace safety issues and reduce costs for all employers and workers.

**NEW SECTION. Sec. 2.** The following acts or parts of acts are each repealed:

(1) RCW 49.17.360 (Ergonomics Initiative—Intent) and 2004 c 1 s 1; and

(2) RCW 49.17.370 (Ergonomics Initiative—Definition—Rule repeal) and 2004 c 1 s 2.

**Sec. 3.** RCW 49.17.020 and 2010 c 8 s 12005 are each amended to read as follows:

~~((For the purposes of this chapter:))~~ The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) ~~((The term "agriculture"))~~ (a) "Agriculture" means farming and includes, but is not limited to:

~~((a))~~ (i) The cultivation and tillage of the soil;

~~((b))~~ (ii) Dairying;

~~((c))~~ (iii) The production, cultivation, growing, and harvesting of any agricultural or horticultural commodity;

~~((d))~~ (iv) The raising of livestock, bees, fur-bearing animals, or poultry; and

~~((e))~~ (v) Any practices performed by a farmer or on a farm, incident to or in connection with such farming operations, including but not limited to preparation for market and delivery to:

~~((f))~~ (A) Storage;

~~((g))~~ (B) Market; or

~~((h))~~ (C) Carriers for transportation to market.

~~((The term "agriculture"))~~ (b) "Agriculture" does not mean a farmer's processing for sale or handling for sale a commodity or product grown or produced by a person other than the farmer or the farmer's employees.

(2) ~~((The term "director"))~~ "Director" means the director of the department of labor and industries, or his or her designated representative.

(3) ~~((The term "department"))~~ "Department" means the department of labor and industries.

(4) ~~((The term "employer"))~~ "Employer" means any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees or who contracts with one or more persons, the essence of which is the personal labor of such person or persons and includes the state, counties, cities, and all municipal corporations, public corporations, political subdivisions of the state, and charitable organizations: PROVIDED, That any person, partnership, or business entity not having employees, and who is

covered by the industrial insurance act (~~shall~~) must be considered both an employer and an employee.

(5) (~~The term "employee"~~) "Employee" means an employee of an employer who is employed in the business of his or her employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is his or her personal labor for an employer under this chapter whether by way of manual labor or otherwise.

(6) (~~The term "person"~~) "Person" means one or more individuals, partnerships, associations, corporations, business trusts, legal representatives, or any organized group of persons.

(7) (~~The term "safety and health standard"~~) "Risk classification" means any classification defined in chapter 296-17A WAC classifications for Washington workers' compensation insurance.

(8) "Safety and health standard" means a standard which requires the adoption or use of one or more practices, means, methods, operations, or processes reasonably necessary or appropriate to provide safe or healthful employment and places of employment.

(~~8~~) ~~The term "workplace"~~ (9) "Workplace" means any plant, yard, premises, room, or other place where an employee or employees are employed for the performance of labor or service over which the employer has the right of access or control, and includes, but is not limited to, all workplaces covered by industrial insurance under Title 51 RCW, as now or hereafter amended.

(~~9~~) ~~The term "working day"~~ (10) "Working day" means a calendar day, except Saturdays, Sundays, and all legal holidays as set forth in RCW 1.16.050, as now or hereafter amended, and for the purposes of the computation of time within which an act is to be done under the provisions of this chapter, (~~shall~~) must be computed by excluding the first working day and including the last working day.

(11) "Work-related musculoskeletal injuries and disorders" means injuries or disorders of the muscles, nerves, tendons, joints, cartilage, and spinal discs associated with exposure to risk factors in the workplace. Musculoskeletal injuries and disorders include sprains, strains, tears, back pain, soreness, pain, carpal tunnel syndrome, musculoskeletal system or connective tissue diseases and disorders when the event or exposure leading to the injury or illness is bodily reaction from bending, climbing, crawling, reaching, twisting, sitting, or standing; being rubbed or abraded by kneeling on a surface; being rubbed, abraded, or jarred by vibration; overexertion; or repetition. The department may update this definition in accordance with changes to the United States department of labor's definition or updates to the United States bureau of labor statistics' occupational injury and illness classification system.

**NEW SECTION. Sec. 4.** A new section is added to chapter 49.17 RCW to read as follows:

(1) The department may adopt rules related to preventing musculoskeletal injuries and disorders that provide standards for an industry or risk classification, subject to the limits in this section.

(2)(a) Within a 12-month period, the department may not adopt more than one set of rules related to preventing musculoskeletal injuries and disorders for an industry or risk classification that previously did not have rules related to preventing musculoskeletal injuries and disorders. The rules would apply to an establishment engaged in activities as defined by the industry or risk classification.

(b) Subject to subsection (10) of this section, the department may not adopt emergency rules under chapter 34.05 RCW related

to preventing musculoskeletal injuries and disorders for an industry or risk classification that previously did not have rules related to preventing musculoskeletal injuries and disorders.

(3)(a) Rules providing standards may only be adopted for industries or risk classifications where compensable workers' compensation claims involved musculoskeletal injuries and disorders at a rate greater than two times the overall state workers' compensation compensable claim rate for musculoskeletal injuries and disorders over a recent five-year period.

(b) When adopting rules by industry subsector at the three-digit level, the department must exclude from regulation North American industry classification system industry group at the four-digit level and industry classification at the five-digit level within the industry subsector that have a musculoskeletal injuries and disorders rate less than two times the overall state workers' compensation compensable claim rate for musculoskeletal injuries and disorders over a recent five-year period.

(c) When adopting rules by industry group at the four-digit level, the department must exclude from regulation North American industry classification system industry classifications at the five-digit level within the industry group that have a musculoskeletal injuries and disorders rate less than two times the overall state workers' compensation compensable claim rate for musculoskeletal injuries and disorders over a recent five-year period.

(d) When adopting rules by risk classification at the four-digit level, the department must exclude six-digit risk classifications within the four-digit risk classification if they have a musculoskeletal injuries and disorders rate less than two times the overall state workers' compensation compensable claim rate for musculoskeletal injuries and disorders over a recent five-year period.

(4) Within 90 days of the department filing a preproposal statement of inquiry (CR-101) for industry or risk classifications specific rules related to preventing musculoskeletal injuries and disorders, the department must provide a report to the appropriate committees of the legislature. The report must include the criteria the department used to select the industry or rate risk classification that will be subject to the rules and a description of the rule-making procedures under chapter 34.05 RCW which the department will follow for the specific rules.

(5) During rule making, the department must consider including options for an employer to demonstrate alternative control methods where:

(a) The alternative methods are at least as effective as the rule requirements;

(b) Affected employees are trained and monitored for compliance; and

(c) The employer has documented all efforts.

(6) When filing a preproposal statement of inquiry (CR-101) for industry or risk classification specific rules related to preventing musculoskeletal injuries and disorders, the department must include the convening of an advisory committee comprised of equal representatives of employers and workers from the industry or risk classification that will be subject to the rules.

(7) During rule making under this section, the department must solicit input on the effective date to specify in the order of adoption under RCW 34.05.380. The effective date may not be less than 120 days after adoption and no rule may be effective prior to July 1, 2026.

(8) Annually by November, the department must:

(a) Publish a list of industries and risk classifications eligible for rule making under this section. The list must include compensable claims over the five calendar year period that ended two calendar years before the report is published; and

FIFTY SECOND DAY, MARCH 1, 2023

(b) Conduct a review of the compensable workers' compensation claims data identified in (a) of this subsection to ensure that the data only reflects injuries or disorders consistent with work-related musculoskeletal injuries or disorders as defined by this act, and publish the results of that review.

(9) For employee home offices, the director does not have the authority to adopt any new or amended rules dealing with musculoskeletal injuries and disorders, or that deal with the same or similar activities as the rules which were repealed in former RCW 49.17.370 for employee home offices, until and to the extent comparable rules applying to employee home offices are required by congress or the federal occupational safety and health administration.

(10) Limits on rule making in this section do not apply to rules adopted or amended where required by the federal occupational safety and health administration.

(11) For the purposes of this section, "industry" means any classification in the North American industry classification system that defines an industry subsector at the three-digit level, industry group at the four-digit level, and industry at the five-digit level.

(12) The department must provide up to three additional ergonomists to provide consultation to employers in the industries and risk classifications in the list published under subsection (8)(a) of this section. Funding for the additional ergonomists must be paid from the accident and medical aid funds.

**NEW SECTION. Sec. 5.** A new section is added to chapter 49.17 RCW to read as follows:

(1) The director is authorized, in the director's discretion, to provide funding to employers to purchase additional equipment that may be needed to comply with a rule adopted under section 4 of this act. The maximum amount of funding each year is two percent of the premiums paid into the accident fund in the prior year from employers subject to a rule adopted under section 4 of this act.

(2) Only employers who pay premiums to the state fund as defined in RCW 51.08.175 and are subject to a rule adopted under section 4 of this act are eligible for funding under this section.

(3) An appropriation is not required for these expenditures.

(4) The department may adopt rules to implement this section."

On page 1, line 3 of the title, after "disorders;" strike the remainder of the title and insert "amending RCW 49.17.020; adding new sections to chapter 49.17 RCW; creating a new section; and repealing RCW 49.17.360 and 49.17.370."

#### MOTION

Senator Wagoner moved that the following amendment no. 0101 by Senator Wagoner be adopted:

On page 4, line 11, after "(1)" strike "The" and insert "Beginning July 1, 2028, the"

On page 6, line 6, after "(8)" strike "Annually" and insert "Beginning on the effective date of this section and continuing annually"

On page 6, line 10, after "published;" strike "and"

On page 6, line 15, after "review" insert "; and"

(c) Publish technical guidance for each industry and risk classification eligible under (a) of this subsection designed to encourage the adoption of best practices and ensure a reduction in potential adverse ergonomic risk factors"

Senator Wagoner spoke in favor of adoption of the amendment to the striking amendment.

Senator Keiser spoke against adoption of the amendment to the

striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0101 by Senator Wagoner on page 4, line 11 to striking amendment no. 0090.

The motion by Senator Wagoner did not carry and amendment no. 0101 was not adopted by voice vote.

#### MOTION

Senator Wagoner moved that the following amendment no. 0102 by Senator Wagoner be adopted:

On page 4, beginning on line 17, after "disorders" strike all material through "disorders" on line 19 and insert "under this section. The restriction in this subsection does not apply to the amendment of rules related to an industry or risk classification that previously had rules imposed on it by the department related to preventing musculoskeletal injuries and disorders"

Senator Wagoner spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0102 by Senator Wagoner on page 4, line 17 to striking amendment no. 0090.

The motion by Senator Wagoner did not carry and amendment no. 0102 was not adopted by voice vote.

#### MOTION

Senator Fortunato moved that the following amendment no. 0100 by Senator Fortunato be adopted:

On page 4, line 27, after "(3)" insert "(a) Prior to adopting rules related to musculoskeletal injuries or disorders, the department must contract with an independent third party to prepare an economic impact statement for all impacted businesses as part of the rule-making process.

(b) An economic impact statement must:

(i) Include a brief description of the industries or risk classifications that will be required to comply with the rule; the reporting, recordkeeping, and other compliance requirements of the proposed rule; and the kinds of professional services that a business is likely to need in order to comply with such requirements;

(ii) Analyze the costs of compliance for businesses required to comply with the proposed rule, including costs of equipment, supplies, labor, professional services, and increased administrative costs;

(iii) Estimate any loss of sales or revenue by businesses required to comply with the rule, and the cost per: Employee, hour of labor, or \$100 of sales;

(iv) Estimate the number of businesses that will move out of state and jobs that will be lost as the result of required compliance with the proposed rule; and

(v) Include the steps taken by the agency to reduce the costs of the rule on businesses, or reasonable justification for not doing so, and a description of how the agency will involve impacted businesses in the development of the rule.

(c) To obtain information for purposes of this subsection, the department may survey a representative sample of affected businesses or trade associations, and should, whenever possible, appoint a committee to assist in the accurate assessment of the economic impact of a proposed rule and the means to reduce the

costs imposed on businesses.

(d) The department must post the economic impact statement on the department's website and provide a copy of the statement to any person requesting it.

(4)"

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

Senators Fortunato and Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0100 by Senator Fortunato on page 4, line 27 to striking amendment no. 0090.

The motion by Senator Fortunato did not carry and amendment no. 0100 was not adopted by voice vote.

#### WITHDRAWAL OF AMENDMENT

On motion of Senator Mullet and without objection, amendment no. 0111 by Senator Mullet on page 4, line 27 to striking amendment no. 0090 was withdrawn.

#### MOTION

Senator Braun moved that the following amendment no. 105 by Senator Braun be adopted:

On page 5, after line 16, insert the following:

"(4) Rules providing standards may not be generally applied and may only be adopted for specific jobs, processes, or operations of work activity within an industry or risk classification."

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

Senator Braun spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 105 by Senator Braun on page 5, after line 16 to striking amendment no. 0090.

The motion by Senator Braun did not carry and amendment no. 105 was not adopted by voice vote.

#### MOTION

Senator Braun moved that the following amendment no. 106 by Senator Braun be adopted:

On page 5, after line 16, insert the following:

"(4) Rules providing standards may only be adopted after a pilot program has been established by the department to test the rule's effectiveness for injury reduction, ease of compliance, and affordability."

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

Senators Braun, King and Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Keiser spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the

adoption of amendment no. 106 by Senator Braun on page 5, line 16 to striking amendment no. 0090.

The motion by Senator Braun did not carry and amendment no. 106 was not adopted by voice vote.

#### MOTION

Senator Wilson, L. moved that the following amendment no. 107 by Senator Wilson, L. be adopted:

On page 5, after line 16, insert the following:

"(4) Rules may only apply to an employer when a musculoskeletal injury or disorder has occurred to more than one employee performing a job, process, or operation of identical work activity within the last 12 months but not before the adoption of this act."

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

Senator Wilson, L. spoke in favor of adoption of the amendment to the striking amendment.

Senator Keiser spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 107 by Senator Wilson, L. on page 5, after line 16 to striking amendment no. 0090.

The motion by Senator Wilson, L. did not carry and amendment no. 107 was not adopted by voice vote.

#### MOTION

Senator Gildon moved that the following amendment no. 109 by Senator Gildon be adopted:

On page 5, after line 16, insert the following:

"(4) Prior to the adoption of any rules under this section applying to private sector employers, the department must adopt rules for all public sector employers that meet the criteria of subsection (3) of this section, including the state, counties, cities, and all municipal corporations, public corporations, and political subdivisions of the state."

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

Senators Gildon, Rivers and Fortunato spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 109 by Senator Gildon on page 5, after line 16 to striking amendment no. 0090.

The motion by Senator Gildon did not carry and amendment no. 109 was not adopted by a rising vote.

#### MOTION

Senator Mullet moved that the following amendment no. 121 by Senator Mullet be adopted:

On page 5, after line 16, insert the following:

"(e) When selecting an industry or risk classification from the list established for potential rulemaking in section 4(8)(a) of this act, the department shall consider if the industry is demonstrating a statistical downward trend in the claims rates that is greater than the statewide average."

FIFTY SECOND DAY, MARCH 1, 2023

On page 6, after line 15, insert the following:

"(c) Each year the department shall identify a list of industries or risk classes most likely to be selected for future rule making and prioritize efforts to provide technical assistance to those employers."

Senators Mullet and Dhingra spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 121 by Senator Mullet on page 5, after line 16 to striking amendment no. 0090.

The motion by Senator Mullet carried and amendment no. 121 was adopted by voice vote.

#### MOTION

Senator Short moved that the following amendment no. 0104 by Senator Short be adopted:

On page 5, line 17, after "(4)" insert "Upon the department adopting a rule for industry or risk classification, specific rules related to preventing musculoskeletal injuries and disorders, the rule by the department does not take effect until after the adjournment of the regular legislative session immediately following the adoption of the rule-making order (CR-103P), in order to allow an opportunity for the legislature to add to, limit, or otherwise amend the final rule on musculoskeletal injuries and disorders.

(5)"

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

Senator Short spoke in favor of adoption of the amendment to the striking amendment.

Senator Keiser spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0104 by Senator Short on page 5, line 17 to striking amendment no. 0090.

The motion by Senator Short did not carry and amendment no. 0104 was not adopted by voice vote.

#### MOTION

Senator Padden moved that the following amendment no. 0108 by Senator Padden be adopted:

On page 5, line 26, after "including" insert "the least burdensome and least costly"

Senator Padden spoke in favor of adoption of the amendment to the striking amendment.

Senator Keiser spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0108 by Senator Padden on page 5, line 26 to striking amendment no. 0090.

The motion by Senator Padden did not carry and amendment no. 0108 was not adopted by voice vote.

#### MOTION

Senator Dhingra moved that the following amendment no. 0112 by Senator Dhingra be adopted:

On page 6, line 8, after "section." insert "The list must identify low priority industries and risk classifications for whom the statistical trend suggests the industry or risk classification will have a rate lower than two times the state average in the next three years."

Senator Dhingra spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0112 by Senator Dhingra on page 6, line 8 to striking amendment no. 0090.

The motion by Senator Dhingra carried and amendment no. 0112 was adopted by voice vote.

#### MOTION

Senator Holy moved that the following amendment no. 0103 by Senator Holy be adopted:

On page 6, after line 15, insert the following:

"(9) Any rules adopted by the department related to musculoskeletal injuries and disorders, or that deal with the same or similar activities as the rules previously repealed, do not apply to any business with 50 or fewer employees."

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

Senators Holy and King spoke in favor of adoption of the amendment to the striking amendment.

Senator Dhingra spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0103 by Senator Holy on page 6, after line 15 to striking amendment no. 0090.

The motion by Senator Holy did not carry and amendment no. 0103 was not adopted by voice vote.

#### MOTION

Senator Wilson, J. moved that the following amendment no. 0110 by Senator Wilson, J. be adopted:

On page 7, after line 9, insert the following:

"NEW SECTION. Sec. 6. The secretary of state shall submit this act to the people for their adoption and ratification, or rejection, at the next general election to be held in this state, in accordance with Article II, section 1 of the state Constitution and the laws adopted to facilitate its operation."

On page 7, beginning on line 12, after "section;" strike all material through "49.17.370" on line 13 and insert "repealing RCW 49.17.360 and 49.17.370; and providing for submission of this act to a vote of the people"

Senators Wilson, J. and Padden spoke in favor of adoption of the amendment to the striking amendment.

Senator Keiser spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0110 by Senator Wilson, J. on page 7, after line 9 to striking amendment no. 0090.

The motion by Senator Wilson, J. did not carry, and amendment no. 0110 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 0090 by Senator Dhingra as

amended to Substitute Senate Bill No. 5583.

The motion by Senator Dhingra carried and striking amendment no. 0090 as amended was adopted by voice vote.

#### MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed Substitute Senate Bill No. 5217 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra, Keiser, Hasegawa and Conway spoke in favor of passage of the bill.

Senators King, Wilson, J., Muzzall and Braun 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. 5217.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5217 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Shewmake, Short, Torres, Van De Wege, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Boehnke

ENGROSSED SUBSTITUTE SENATE BILL NO. 5217, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5586, by Senators King, Robinson and Wellman

Concerning employees' paid family or medical leave data.

#### MOTION

On motion of Senator King, Substitute Senate Bill No. 5586 was substituted for Senate Bill No. 5586 and the substitute bill was placed on the second reading and read the second time.

#### WITHDRAWAL OF AMENDMENT

On motion of Senator Robinson and without objection, amendment no. 0099 by Senator Robinson on page 1, line 17 to Substitute Senate Bill No. 5586 was withdrawn.

#### MOTION

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 5586 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5586.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5586 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Boehnke

SUBSTITUTE SENATE BILL NO. 5586, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5326, by Senators Lovick, King, Mullet and Wilson, C.

Concerning verification of motor vehicle insurance.

#### MOTION

On motion of Senator Lovick, Substitute Senate Bill No. 5326 was substituted for Senate Bill No. 5326 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Lias moved that the following amendment no. 0119 by Senator Lias be adopted:

On page 1, line 14, after "law enforcement," insert "vehicle dealers licensed under chapter 46.70 RCW,"

Senator Lias spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0119 by Senator Lias on page 1, line 14 to Substitute Senate Bill No. 5326.

The motion by Senator Lias carried and amendment no. 0119 was adopted by voice vote.

#### MOTION

On motion of Senator Lovick, the rules were suspended, Engrossed Substitute Senate Bill No. 5326 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Lovelett 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. 5326.

FIFTY SECOND DAY, MARCH 1, 2023

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5326 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dozier, Fortunato, Frame, Gildon, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovick, McCune, Mullet, Muzzall, Padden, Pedersen, Randall, Rivers, Rolfes, Salomon, Schoesler, Shewmake, Short, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Dhingra, Hasegawa, Kauffman, Lovelett, MacEwen, Nguyen, Nobles, Robinson, Saldaña, Stanford and Trudeau

Excused: Senator Boehnke

ENGROSSED SUBSTITUTE SENATE BILL NO. 5326, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

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

Allowing interstate cannabis agreements.

The measure was read the second time.

## MOTION

On motion of Senator Rivers, the rules were suspended, Senate Bill No. 5069 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers and Stanford 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. 5069.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5069 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Fortunato, Hasegawa, Kauffman, Lovelett, Padden, Randall, Salomon and Trudeau

Excused: Senator Boehnke

SENATE BILL NO. 5069, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

On motion of Senator Pedersen, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor

action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

At 6:14 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

----

The Senate was called to order at 7 o'clock p.m. by the President of the Senate, Lt. Governor Heck presiding.

## SECOND READING

SENATE BILL NO. 5604, by Senators Robinson, Nguyen and Stanford

Concerning county sales and use taxes for mental health and housing.

## MOTIONS

On motion of Senator Pedersen, Substitute Senate Bill No. 5604 was substituted for Senate Bill No. 5604 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Robinson, the rules were suspended, Substitute Senate Bill No. 5604 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson and Torres spoke in favor of passage of the bill.

## MOTION

On motion of Senator Nobles, Senators Kuderer and Liias were excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5604.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5604 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

SUBSTITUTE SENATE BILL NO. 5604, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 5189, by Senators Trudeau, Wagoner, Conway, Dhingra and Wilson, C.



Establishing behavioral health support specialists.

#### MOTIONS

On motion of Senator Trudeau, Substitute Senate Bill No. 5189 was substituted for Senate Bill No. 5189 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Trudeau, the rules were suspended, Substitute Senate Bill No. 5189 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Trudeau and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5189.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5189 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

SUBSTITUTE SENATE BILL NO. 5189, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5120, by Senators Dhingra, Wagoner, Braun, Frame, Hasegawa, Keiser, Kuderer, Nguyen, Nobles, Pedersen, Randall, Saldaña, Shewmake, Stanford, Warnick, Wellman and Wilson, C.

Establishing 23-hour crisis relief centers in Washington state.

#### MOTIONS

On motion of Senator Dhingra, Second Substitute Senate Bill No. 5120 was substituted for Senate Bill No. 5120 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5120, by Committee on Senate Ways & Means (originally sponsored by Senators Dhingra, Wagoner, Braun, Frame, Hasegawa, Keiser, Kuderer, Nguyen, Nobles, Pedersen, Randall, Saldaña, Shewmake, Stanford, Warnick, Wellman, and C. Wilson)

Revised for Second Substitute: Establishing crisis relief centers in Washington state.

On motion of Senator Dhingra, the rules were suspended, Second Substitute Senate Bill No. 5120 was advanced to third

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

Senators Dhingra, Rivers and Saldaña 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. 5120.

#### ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5120 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

SECOND SUBSTITUTE SENATE BILL NO. 5120, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5010, by Senators Wilson, L., Holy, Wilson, J., Braun, Schoesler, King, Short, Fortunato, Padden, Torres, Dozier, Gildon, Rolfes, Wagoner and Warnick

Including synthetic opioids in the endangerment with a controlled substance statute.

#### MOTION

On motion of Senator Wilson, L., Substitute Senate Bill No. 5010 was substituted for Senate Bill No. 5010 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5010, by Committee on Law & Justice (originally sponsored by Senators L. Wilson, Holy, J. Wilson, Braun, Schoesler, King, Short, Fortunato, Padden, Torres, Dozier, Gildon, Rolfes, Wagoner, and Warnick)

Revised for first Substitute: Updating the endangerment with a controlled substance statute to include fentanyl or synthetic opioids.

#### MOTION

Senator Dhingra moved that the following amendment no. 0004 by Senator Dhingra be adopted:

On page 2, line 1, after "(2)" insert "The department of children, youth, and families and any employees, interns, volunteers, or contractors of the department acting in the scope of their role are exempt from any criminal liability within this section.

(3)"

Senators Dhingra and Wilson, L. spoke in favor of adoption of

FIFTY SECOND DAY, MARCH 1, 2023

the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0004 by Senator Dhingra on page 2, line 11 to Substitute Senate Bill No. 5010.

The motion by Senator Dhingra carried and amendment no. 0004 was adopted by voice vote.

#### MOTION

On motion of Senator Wilson, L., the rules were suspended, Engrossed Substitute Senate Bill No. 5010 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, L. and Dhingra spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5010.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5010 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke and Kuderer

ENGROSSED SUBSTITUTE SENATE BILL NO. 5010, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5555, by Senators Randall, Dhingra, Hasegawa, Keiser, Nguyen, Nobles, Valdez and Wilson, C.

Creating the profession of certified peer specialists.

#### MOTION

On motion of Senator Randall, Second Substitute Senate Bill No. 5555 was substituted for Senate Bill No. 5555 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Holy moved that the following striking amendment no. 0089 by Senator Holy be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 71.24 RCW to read as follows:

(1) The Washington state peer support advisory committee is established.

(2)(a) The advisory committee shall consist of 11 members.

Nine members must be peer counselors. Those nine members shall be inclusive of diverse populations and include mental health peers, substance use disorder peers, community-based peers, peers who work in clinical settings, youth peers, adult peers, and peer supervisors. The advisory committee shall be reflective of the community who receives peer services, including people who are Black, indigenous, people of color, and individuals who identify as LGBTQ. All members of the advisory committee must be residents of Washington state. Members may not hold an office in a professional association for peer specialists or be employed by the state. A majority of the members currently serving shall constitute a quorum.

(b) The members shall be appointed by the director of the authority to serve three-year terms which may be renewed. Initial members shall be appointed to staggered terms which may be less than three years. The advisory committee shall select a chair and vice chair.

(3) The authority is encouraged to adopt recommendations as submitted by the advisory committee on topics related to the administration of this chapter and provide their rationale for any formal recommendations of the advisory committee that the authority does not adopt. The advisory committee shall develop a multiyear strategic plan for peer support trainings and workforce development that includes:

(a) Recommendations on developing education and training pathways in support of the peer counselor certification program;

(b) Recommendations on developing multiple pathways to peer support careers that includes planning for a formal certification pathway;

(c) Assistance and recommendations regarding development of continuing education and continuing competency programs including minimum requirements to maintain certification;

(d) Assistance and recommendations in development of a supervisory track for peer counselors including additional training and service hour requirements;

(e) Assistance and recommendations to enhance patient and client education;

(f) A review of existing authority policies and procedures related to peer counselors;

(g) Advice on approving additional education and training entities, other than the authority, to conduct the course of instruction under this chapter to expand availability of the course;

(h) Recommendations on recruitment and retention in the peer profession, including among black, indigenous, people of color, and individuals who identify as LGBTQ; and

(i) Recommendations on strategies to eliminate financial barriers to licensing as peer counselors.

(4) Advisory committee members are immune from suit in an action, civil or criminal, based on the department's disciplinary proceedings or other official acts performed in good faith.

(5) Advisory committee members shall be compensated in accordance with RCW 43.03.240, including travel expenses in carrying out his or her authorized duties in accordance with RCW 43.03.050 and 43.03.060.

**NEW SECTION. Sec. 2.** A new section is added to chapter 71.24 RCW to read as follows:

The authority shall develop and maintain a registry of certified peer counselors who have successfully completed the peer counselor certification program under RCW 70.385.020.

**NEW SECTION. Sec. 3.** A new section is added to chapter 71.24 RCW to read as follows:

In consultation with the advisory committee, the authority shall approve a program of continuing education for certified peer counselors. After initial certification as a peer counselor, certified peer counselors shall be required to complete the minimum

number of hours of continuing education in a single three-year recertification period as required by the authority to maintain certification."

On page 1, line 3 of the title, after "specialists;" strike the remainder of the title and insert "and adding new sections to chapter 71.24 RCW."

Senator Holy spoke in favor of adoption of the striking amendment.

Senator Randall spoke against adoption of the striking amendment.

#### MOTION

On motion of Senator Nobles, Senator Salomon was excused.

The President declared the question before the Senate to be the adoption of striking amendment no. 0089 by Senator Holy to Second Substitute Senate Bill No. 5555.

The motion by Senator Holy did not carry and striking amendment no. 0089 was not adopted by a rising vote.

#### MOTION

On motion of Senator Randall, the rules were suspended, Second Substitute Senate Bill No. 5555 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Randall and Dhingra spoke in favor of passage of the bill.

Senators Holy and Muzzall spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5555.

#### ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5555 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 19; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senators Boehnke, Kuderer and Salomon

SECOND SUBSTITUTE SENATE BILL NO. 5555, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5374, by Senators Short, Lovelett, Shewmake and Torres

Concerning the adoption of county critical area ordinances by cities.

#### MOTIONS

On motion of Senator Short, Substitute Senate Bill No. 5374 was substituted for Senate Bill No. 5374 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Short, the rules were suspended, Substitute Senate Bill No. 5374 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Short and Lovelett 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. 5374.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5374 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke, Kuderer and Salomon

SUBSTITUTE SENATE BILL NO. 5374, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5300, by Senators Dhingra, Billig, Cleveland, Frame, Hasegawa, Hunt, Keiser, Kuderer, Lovelett, Nguyen, Nobles, Randall, Rivers, Robinson, Shewmake, Valdez, Wellman and Wilson, C.

Concerning continuity of coverage for prescription drugs prescribed for the treatment of behavioral health conditions.

#### MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 5300 was substituted for Senate Bill No. 5300 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dhingra, the rules were suspended, Substitute Senate Bill No. 5300 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5300.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5300 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Braun, Cleveland, Conway,

FIFTY SECOND DAY, MARCH 1, 2023

Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke, Kuderer and Salomon

SUBSTITUTE SENATE BILL NO. 5300, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5127, by Senators Wilson, C., Lovelett, Hasegawa, Hunt, Kuderer, Nobles, Saldaña, Stanford, Van De Wege and Wellman

Clarifying school districts' ability to redact personal information related to a student.

#### MOTION

On motion of Senator Wilson, C., Substitute Senate Bill No. 5127 was substituted for Senate Bill No. 5127 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Short moved that the following amendment no. 0097 by Senator Short be adopted:

On page 2, line 23, after "records" insert "other than disciplinary records"

Senator Short spoke in favor of adoption of the amendment.

Senator Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0097 by Senator Short on page 2, line 23 to Substitute Senate Bill No. 5127.

The motion by Senator Short did not carry and amendment no. 0097 was not adopted by voice vote.

#### MOTION

Senator Wilson, J. moved that the following amendment no. 0093 by Senator Wilson, J. be adopted:

On page 2, line 24, after "correspondence" insert ", except that the agency may disclose a student's participation in school athletics, band, club, or other extracurricular activities"

Senator Wilson, J. spoke in favor of adoption of the amendment.

Senator Hunt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0093 by Senator Wilson, J. on page 2, line 24 to Substitute Senate Bill No. 5127.

The motion by Senator Wilson, J. did not carry and amendment no. 0093 was not adopted by voice vote.

#### MOTION

On motion of Senator Wilson, C., the rules were suspended, Substitute Senate Bill No. 5127 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, C. spoke in favor of passage of the bill.

Senator Wilson, J. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5127.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5127 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 19; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senators Boehnke, Kuderer and Salomon

SUBSTITUTE SENATE BILL NO. 5127, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5599, by Senators Liias, Wilson, C., Dhingra, Lovelett, Nguyen and Randall

Supporting youth and young adults seeking protected health care services.

#### MOTION

On motion of Senator Liias, Substitute Senate Bill No. 5599 was substituted for Senate Bill No. 5599 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Braun moved that the following amendment no. 0128 by Senator Braun be adopted:

On page 3, beginning on line 1, after "to" strike all material through "Circumstances" on line 3 and insert ", circumstances"

On page 3, beginning on line 5, after "26.44.020" strike all material through "5489" on line 9

On page 8, beginning on line 1, after "means" strike all material through "5489" on line 5 and insert "there are circumstances that indicate that notifying the parent or legal guardian will subject the minor to abuse or neglect as defined in RCW 26.44.020"

Senators Braun, Short, Padden, Fortunato, McCune and Wagoner spoke in favor of adoption of the amendment.

Senators Wilson, C., Liias and Pedersen spoke against adoption of the amendment.

#### MOTION

counseling and support services for youth and young adults experiencing gender dysphoria"

Senator Short demanded a roll call.

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

The President declared the question before the Senate to be the adoption of the amendment by Senator Braun on page 3, line 1 to Substitute Senate Bill No. 5599.

#### ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Braun and the amendment was not adopted by the following vote: Yeas, 19; Nays, 27; Absent, 0; Excused, 3.

Voting yea: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Excused: Senators Boehnke, Kuderer and Salomon.

#### MOTION

Senator Fortunato moved that the following amendment no. 0126 by Senator Fortunato be adopted:

On page 3, line 7, after "services." insert "However, if the minor discloses that the protected health care services relate to hormone therapy, puberty blockers, or gender-affirming medical procedures, the agency shall provide informational materials to the minor about available counseling services."

On page 8, line 3, after "services." insert "However, if the youth discloses that the protected health care services relate to hormone therapy, puberty blockers, or gender-affirming medical procedures, the host home program shall provide informational materials to the minor about available counseling services."

Senators Fortunato and McCune spoke in favor of adoption of the amendment.

Senator Wilson, C. spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0126 by Senator Fortunato on page 3, line 7 to Substitute Senate Bill No. 5599.

The motion by Senator Fortunato did not carry and amendment no. 0126 was not adopted by voice vote.

#### MOTION

Senator Braun moved that the following amendment no. 0127 by Senator Braun be adopted:

On page 3, beginning on line 8, after "services" strike all material through "5489" on line 9 and insert "means abortion as defined in RCW 9.02.170 and gender-affirming treatment."

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

On page 8, beginning on line 4, after "services" strike all material through "5489" on line 5 and insert "means abortion as defined in RCW 9.02.170 and gender-affirming treatment."

(E) "Gender-affirming treatment" means age-appropriate

Senator Braun spoke in favor of adoption of the amendment.

Senator Wilson, C. spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0127 by Senator Braun on page 3, line 8 to Substitute Senate Bill No. 5599.

The motion by Senator Braun did not carry and amendment no. 0127 was not adopted by voice vote.

#### MOTION

Senator Wilson, C. moved that the following amendment no. 0129 by Senator Wilson, C. be adopted:

On page 3, line 8, after "services" strike all material through "5489" on line 9 and insert "means gender affirming treatment as defined in RCW 74.09.675 and reproductive health care services as defined in RCW 74.09.875"

On page 8, line 4, after "services" strike all material through "5489" on line 5 and insert "means gender affirming treatment as defined in RCW 74.09.675 and reproductive health care services as defined in RCW 74.09.875"

Senator Wilson, C. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0129 by Senator Wilson, C. on page 3, line 8 to Substitute Senate Bill No. 5599.

The motion by Senator Wilson, C. carried and amendment no. 0129 was adopted by a rising vote.

#### MOTION

Senator Gildon moved that the following amendment no. 125 by Senator Gildon be adopted:

On page 3, line 20, after "26.44.030" insert "or removes the requirement that the law enforcement agency of the jurisdiction in which the person lives be notified"

Senators Gildon and Wilson, C. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 125 by Senator Gildon on page 3, line 20 to Substitute Senate Bill No. 5599.

The motion by Senator Gildon carried and amendment no. 125 was adopted by voice vote.

#### MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute Senate Bill No. 5599 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, Trudeau and Wilson, C. spoke in favor of passage of the bill.

Senators Gildon, Warnick, Muzzall, Wilson, J. and Braun 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. 5599.

#### ROLL CALL

FIFTY SECOND DAY, MARCH 1, 2023

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5599 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 19; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hasegawa, Hunt, Kauffman, Keiser, Lias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senators Boehnke, Kuderer and Salomon

ENGROSSED SUBSTITUTE SENATE BILL NO. 5599, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5278, by Senators Wilson, L., Fortunato, Lovick, Muzzall, Robinson, Shewmake, Torres, Warnick and Wilson, C.

Implementing audit recommendations to reduce barriers to home care aide certification.

#### MOTION

On motion of Senator Wilson, L., Second Substitute Senate Bill No. 5278 was substituted for Senate Bill No. 5278 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Hasegawa moved that the following amendment no. 0086 by Senators Hasegawa, Schoesler and Wilson, L. be adopted:

On page 2, line 26, after "training." insert "The examination or series of examinations must be conducted at local testing sites around the state. For the purpose of reducing the travel time for applicants, the department shall explore alternative testing options such as remote testing."

On page 2, line 28, after "methods." insert "All examinations shall be available to be administered in the preferred language for the applicant taking the examination."

Senators Hasegawa and Wilson, L. spoke in favor of adoption of the amendment.

#### MOTION

On motion of Senator Dozier, Senator McCune was excused.

The President declared the question before the Senate to be the adoption of amendment no. 0086 by Senators Hasegawa, Schoesler and Wilson, L. on page 2, line 26 to Second Substitute Senate Bill No. 5278.

The motion by Senator Hasegawa carried and amendment no. 0086 was adopted by voice vote.

#### MOTION

On motion of Senator Wilson, L., the rules were suspended, Engrossed Second Substitute Senate Bill No. 5278 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, L. and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5278.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5278 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke, Kuderer, McCune and Salomon

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5278, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5001, by Senators Hawkins, Hunt, Nguyen and Wilson, J.

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

#### MOTIONS

On motion of Senator Hawkins, Second Substitute Senate Bill No. 5001 was substituted for Senate Bill No. 5001 and the substitute bill was placed on the second reading and read the second time.

Senator Hawkins moved that the following amendment no. 0066 by Senators Hawkins and Hunt be adopted:

On page 2, beginning on line 16, after "of which" strike "previously created" and insert "participated in the creation of"

On page 2, beginning on line 18, after "district." strike all material through "of the" on line 20 and insert "Any previously created district may continue its full corporate existence and activities notwithstanding the creation and existence of an"

On page 2, line 21, after "area." insert "A public facilities district formed under this subsection (1)(f) must be created prior to July 1, 2026."

On page 6, line 28, after "reconstruction." strike "and"

On page 6, line 28, after "expansion" insert ", and maintenance"

Senators Hawkins and Hunt spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 0066 by Senators Hawkins and Hunt on page 2, line 16 to Second Substitute Senate Bill No. 5001.

The motion by Senator Hawkins carried and amendment no. 0066 was adopted by voice vote.

#### MOTION

On motion of Senator Hawkins, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5001 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hawkins and Hunt 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. 5001.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5001 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0;

Excused, 4.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Lias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Boehnke, Kuderer, McCune and Salomon

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5001, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 9:29 p.m., on motion of Senator Pedersen, the Senate adjourned until 9 o'clock a.m. Thursday, March 2, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

1012-S	Messages .....	1	1266-S	Messages .....	1
1033-SE	Messages .....	1	1267-S	Introduction & 1st Reading.....	2
1037-SE	Introduction & 1st Reading.....	1	1277-SE	Introduction & 1st Reading.....	2
1039-S2	Introduction & 1st Reading.....	1	1288-S	Messages .....	1
1051-SE	Introduction & 1st Reading.....	1	1289-S	Messages .....	1
1061	Introduction & 1st Reading.....	1	1290	Messages .....	1
1077-S	Messages .....	1	1319	Introduction & 1st Reading.....	2
1079-S	Introduction & 1st Reading.....	2	1323-S	Messages .....	1
1085-S	Messages .....	1	1329-SE	Introduction & 1st Reading.....	2
1088-S	Introduction & 1st Reading.....	2	1330	Introduction & 1st Reading.....	3
1138-S	Messages .....	1	1334	Messages .....	1
1170-S2E	Introduction & 1st Reading.....	2	1335-SE	Introduction & 1st Reading.....	3
1173-SE	Introduction & 1st Reading.....	2	1340-SE	Messages .....	1
1177-S	Messages .....	1	1349	Messages .....	1
1188-S2E	Messages .....	1	1377-SE	Messages .....	1
1204-S2	Introduction & 1st Reading.....	2	1391-S2	Messages .....	1
1207-S	Introduction & 1st Reading.....	2	1407	Messages .....	1
1221	Messages .....	1	1419	Messages .....	1
1222-SE	Messages .....	1	1420	Messages .....	1
1230	Messages .....	1	1458-S	Messages .....	1
1232	Introduction & 1st Reading.....	2	1460-S	Introduction & 1st Reading.....	3
1247-S	Introduction & 1st Reading.....	2	1469-SE	Messages .....	1
1250-S	Messages .....	1	1470-S2	Messages .....	1
1257					



1499-S	5001
Messages..... 1	Second Reading ..... 30
1501-S	5001-S2
Messages..... 1	Second Reading ..... 30
1504-S	5001-S2E
Messages..... 1	Third Reading Final Passage ..... 31
1507	5010
Messages..... 1	Second Reading ..... 25
1536	5010-S
Introduction & 1st Reading..... 3	Second Reading ..... 25
1540	5010-SE
Messages..... 1	Third Reading Final Passage ..... 26
1543	5069
Introduction & 1st Reading..... 3	Second Reading ..... 24
1552	Third Reading Final Passage ..... 24
Messages..... 1	5114
1564	Second Reading ..... 6
Introduction & 1st Reading..... 3	5114-S
1600-SE	Second Reading ..... 6
Introduction & 1st Reading..... 3	Third Reading Final Passage ..... 6
1624	5120
Messages..... 1	Second Reading ..... 25
1638-S	5120-S2
Introduction & 1st Reading..... 3	Second Reading ..... 25
1695	Third Reading Final Passage ..... 25
Messages..... 1	5127
1696	Second Reading ..... 28
Introduction & 1st Reading..... 3	5127-S
1701-S	Second Reading ..... 28
Introduction & 1st Reading..... 3	Third Reading Final Passage ..... 28
1737	5189
Messages..... 1	Second Reading ..... 24
1753-S	5189-S
Introduction & 1st Reading..... 3	Second Reading ..... 25
1758-SE	Third Reading Final Passage ..... 25
Messages..... 1	5217
1771	Second Reading ..... 18
Messages..... 1	5217-S
1772	Other Action..... 21
Messages..... 1	Second Reading ..... 18, 20, 21, 22
1775	5217-SE
Messages..... 1	Third Reading Final Passage ..... 23
1784-S	5278
Introduction & 1st Reading..... 3	Second Reading ..... 30
1792	5278-S2
Messages..... 1	Second Reading ..... 30
1797-E	5278-S2E
Introduction & 1st Reading..... 4	Third Reading Final Passage ..... 30

5300	Second Reading .....	27	5531	Third Reading Final Passage .....	7
5300-S	Second Reading .....	27	5531	Second Reading .....	9
	Third Reading Final Passage .....	27	5531	Third Reading Final Passage .....	9
5326	Second Reading .....	23	5550	Second Reading .....	8
5326-S	Second Reading .....	23	5550	Third Reading Final Passage .....	8
5326-SE	Third Reading Final Passage .....	23	5555	Second Reading .....	26
5355	Second Reading .....	7, 8	5555-S2	Second Reading .....	26
	Third Reading Final Passage .....	8	5555-S2	Third Reading Final Passage .....	27
5374	Second Reading .....	27	5583	Second Reading .....	17
5374-S	Second Reading .....	27	5583-S	Second Reading .....	17, 18
	Third Reading Final Passage .....	27	5583-SE	Third Reading Final Passage .....	18
5419	Second Reading .....	9	5586	Second Reading .....	23
	Third Reading Final Passage .....	9	5586-S	Other Action.....	23
5447	Second Reading .....	10	5586-S	Second Reading .....	23
5447-S	Other Action.....	10, 11	5586-S	Third Reading Final Passage .....	23
	Second Reading .....	10, 12	5599	Second Reading .....	28
5447-SE	Third Reading Final Passage .....	17	5599-S	Second Reading .....	28, 29
5453	Second Reading .....	6	5599-SE	Third Reading Final Passage .....	29
5453-S	Second Reading .....	6	5604	Second Reading .....	24
	Third Reading Final Passage .....	6	5604-S	Second Reading .....	24
5457	Second Reading .....	6	5604-S	Third Reading Final Passage .....	24
	Third Reading Final Passage .....	6	5614	Second Reading .....	9
5466	Second Reading .....	10	5614-S	Second Reading .....	9, 10
5466-S	Other Action.....	11	5614-SE	Third Reading Final Passage .....	10
	Second Reading .....	10, 11	5743	Second Reading .....	8
5466-SE	Third Reading Final Passage .....	11	5743-S	Second Reading .....	8
5490	Second Reading .....	7	5743-S	Third Reading Final Passage .....	8
5490-S	Second Reading .....	7	8404	Messages .....	1

8617  
 Adopted..... 4  
 Introduced ..... 4  
 9186 Lawson, Sarah  
 Confirmed ..... 4  
 9205 Krueger, Lowel  
 Confirmed ..... 5  
 9206 Topper, Alishia  
 Confirmed ..... 5  
 9265 Simons, Ann  
 Confirmed ..... 5

CHAPLAIN OF THE DAY  
 Brokaw, Rev. Pam, Montesano & Elma  
 United Methodist Churches ..... 1  
 FLAG BEARERS  
 Basinski, Miss Vivian ..... 1  
 Knoll, Mr. Judson ..... 1  
 GUESTS  
 Bahadur, Miss Ria..... 8  
 Miovic, Mr. Josh, Pledge of Allegiance ..... 1  
 WASHINGTON STATE SENATE  
 Point of Inquiry, Senator Rolfes ..... 11