

FIFTY THIRD DAY

MORNING SESSION

Senate Chamber, Olympia  
Thursday, March 2, 2023

The Senate was called to order at 9:00 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.

The Sergeant at Arms Color Guard consisting of Pages Mr. Thomas Davenport and Miss Roxana Rangel, presented the Colors. Page Mr. Brenden Craig led the Senate in the Pledge of Allegiance. The prayer was offered by Pastor Tito Lyro of Bible Presbyterian Church, Olympia.

MOTION

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

March 1, 2023

MR. PRESIDENT:

The House has passed:

- HOUSE BILL NO. 1002,
- SUBSTITUTE HOUSE BILL NO. 1047,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1057,
- SUBSTITUTE HOUSE BILL NO. 1109,
- SUBSTITUTE HOUSE BILL NO. 1132,
- SECOND SUBSTITUTE HOUSE BILL NO. 1176,
- SUBSTITUTE HOUSE BILL NO. 1254,
- SUBSTITUTE HOUSE BILL NO. 1258,
- SECOND SUBSTITUTE HOUSE BILL NO. 1433,
- SUBSTITUTE HOUSE BILL NO. 1435,
- SECOND SUBSTITUTE HOUSE BILL NO. 1452,
- SUBSTITUTE HOUSE BILL NO. 1457,
- HOUSE BILL NO. 1512,
- SUBSTITUTE HOUSE BILL NO. 1521,
- SECOND SUBSTITUTE HOUSE BILL NO. 1525,
- SUBSTITUTE HOUSE BILL NO. 1572,
- SUBSTITUTE HOUSE BILL NO. 1590,
- HOUSE BILL NO. 1679,
- SECOND SUBSTITUTE HOUSE BILL NO. 1681,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1732,
- HOUSE BILL NO. 1777,
- SUBSTITUTE HOUSE BILL NO. 1783,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 28, 2023

MR. PRESIDENT:

The House has passed:

- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1050,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1169,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1293,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1584,

and the same are 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

SHB 1012 by House Committee on Appropriations (originally sponsored by Leavitt, Robertson, Ryu, Simmons, Reed, Ramel, Lekanoff, Pollet, Callan, Doglio, Orwall, Macri, Timmons, Donaghy, Reeves, Wylie, Bronoske, Paul, Springer and Thai)

AN ACT Relating to responding to extreme weather events; amending RCW 38.52.105; adding a new section to chapter 38.52 RCW; and creating new sections.

Referred to Committee on State Government & Elections.

ESHB 1033 by House Committee on Environment & Energy (originally sponsored by Walen, Ryu, Reed, Fitzgibbon, Pollet, Callan, Doglio, Macri, Gregerson, Davis, Santos, Ormsby and Fosse)

AN ACT Relating to evaluating compostable product usage in Washington; adding a new section to chapter 70A.205 RCW; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

SHB 1077 by House Committee on Civil Rights & Judiciary (originally sponsored by Thai, Walen, Simmons, Leavitt, Senn, Goodman and Santos)

AN ACT Relating to courthouse facility dogs; amending RCW 10.52.110; and creating a new section.

Referred to Committee on Law & Justice.

SHB 1085 by House Committee on Environment & Energy (originally sponsored by Mena, Bateman, Reed, Fitzgibbon, Ramel, Peterson, Pollet, Berry, Walen, Doglio, Macri, Simmons, Thai, Cortes, Kloba and Ormsby)

AN ACT Relating to reducing plastic pollution; amending RCW 43.21B.110 and 43.21B.300; adding a new section to chapter 19.27 RCW; adding new sections to chapter 70A.245 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Environment, Energy & Technology.

SHB 1138 by House Committee on Appropriations (originally sponsored by Chapman, Dent, Ramel, Leavitt, Doglio, Lekanoff, Donaghy and Ormsby)

AN ACT Relating to drought preparedness; amending RCW 43.83B.415 and 90.86.030; reenacting and amending RCW 43.83B.430; and adding a new section to chapter 43.83B RCW.

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

SHB 1177 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Lekanoff, Orwall, Reed, Berry, Ramel, Callan, Doglio, Timmons, Walsh, Reeves, Chopp, Duerr, Gregerson, Taylor, Wylie, Stonier, Pollet, Davis, Kloba and Ormsby)

AN ACT Relating to a missing and murdered indigenous women and people cold case investigations unit; adding a new section to chapter 43.10 RCW; and creating a new section.

Referred to Committee on Law & Justice.

E2SHB 1188 by House Committee on Appropriations (originally sponsored by Senn, Taylor, Reed, Leavitt, Callan, Macri, Simmons, Timmons, Chopp, Lekanoff, Couture, Gregerson, Thai, Wylie, Stonier, Schmick, Santos, Pollet, Kloba, Eslick and Ormsby)

AN ACT Relating to individuals with developmental disabilities that have also received child welfare services; amending RCW 43.88C.010, 43.88.058, and 71A.12.370; adding a new section to chapter 71A.12 RCW; creating a new section; and providing an effective date.

Referred to Committee on Human Services.

HB 1221 by Representatives Stearns, Kloba, Ramel, Goodman and Morgan

AN ACT Relating to the privacy of lottery players; and amending RCW 42.56.230.

Referred to Committee on State Government & Elections.

ESHB 1222 by House Committee on Health Care & Wellness (originally sponsored by Orwall, Simmons, Reeves, Reed, Leavitt, Kloba, Farivar, Doglio, Morgan, Slatter, Ramel, Goodman, Callan, Fosse, Pollet, Lekanoff and Macri)

AN ACT Relating to requiring coverage for hearing instruments; amending RCW 48.43.715; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long-Term Care.

HB 1230 by Representatives Callan, Harris, Thai, Reeves, Senn, Ortiz-Self, Ormsby, Kloba, Duerr, Doglio, Berry, Riccelli, Morgan, Davis, Ramel, Bergquist, Pollet, Tharinger, Peterson, Stonier and Santos

AN ACT Relating to requiring school districts and other public education entities to make information from the department of health about substance use trends, overdose symptoms and response, and the secure storage of prescription drugs, over-the-counter medications, and firearms and ammunition, available through their websites and other communication resources; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.310 RCW; adding a new section to chapter 70.54 RCW; and creating a new section.

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

SHB 1250 by House Committee on Capital Budget (originally sponsored by Steele and Eslick)

AN ACT Relating to modifying the low-income home rehabilitation program; amending RCW 43.330.480,

43.330.482, and 43.330.488; adding new sections to chapter 43.330 RCW; repealing RCW 43.330.482 and 43.330.486; providing an effective date; providing a contingent effective date; and declaring an emergency.

Referred to Committee on Housing.

HB 1257 by Representatives Hackney, Abbarno and Reed

AN ACT Relating to the authority of cargo and passenger ports; adding a new section to chapter 53.08 RCW; and creating a new section.

Referred to Committee on Transportation.

SHB 1266 by House Committee on Consumer Protection & Business (originally sponsored by Santos, Corry and Reeves)

AN ACT Relating to the use of email by the office of the insurance commissioner when communicating with licensees; amending RCW 48.17.170, 48.17.450, 48.17.475, and 48.15.103; adding a new section to chapter 48.02 RCW; providing an effective date; and declaring an emergency.

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

SHB 1288 by House Committee on Appropriations (originally sponsored by Reeves, Ryu, Morgan and Graham)

AN ACT Relating to the department of veterans affairs regarding exempt staff and exempt staff appointments, removing reference to one-time use of funds, and exempting veteran discharge papers from public disclosure; amending RCW 41.06.077, 43.60A.140, and 72.36.020; and repealing RCW 72.36.040, 72.36.050, 72.36.055, and 72.36.077.

Referred to Committee on State Government & Elections.

SHB 1289 by House Committee on Postsecondary Education & Workforce (originally sponsored by Reed, Ybarra, Berry, Ortiz-Self, Riccelli, Paul, Reeves, Leavitt and Timmons)

AN ACT Relating to program administration for the Washington state opportunity scholarship program; amending RCW 28B.145.010, 28B.145.020, and 28B.145.040; and declaring an emergency.

Referred to Committee on Higher Education & Workforce Development.

HB 1290 by Representatives Lekanoff, Goodman, Ortiz-Self, Ramel, Leavitt and Ormsby

AN ACT Relating to training for tribal police officers and employees; and amending RCW 43.101.230.

Referred to Committee on Law & Justice.

SHB 1323 by House Committee on Labor & Workplace Standards (originally sponsored by Bronoske, Berry, Leavitt, Morgan, Taylor, Senn, Bateman, Reed, Lekanoff and Doglio)

AN ACT Relating to requiring a training and certification program for individuals who apply fire-resistant materials; amending RCW 39.12.055; adding a new chapter to Title 49 RCW; prescribing penalties; and providing an effective date.

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Referred to Committee on Labor &amp; Commerce.

HB 1334 by Representatives Hutchins, Simmons, Couture and Ramel

AN ACT Relating to accessing certain aquatic lands by a public transportation benefit area; and adding a new section to chapter 36.57A RCW.

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

ESHB 1340 by House Committee on Health Care & Wellness (originally sponsored by Riccelli, Thai, Berry, Ormsby, Chopp, Macri, Bergquist, Bateman, Simmons, Stonier, Berg, Duerr, Wylie, Senn, Taylor, Fitzgibbon, Cortes, Goodman, Reed, Lekanoff, Alvarado, Ramel, Kloba, Tharinger and Pollet)

AN ACT Relating to actions by health professions disciplining authorities against license applicants and license holders for providing reproductive health care services or gender affirming treatment; amending RCW 18.130.180; reenacting and amending RCW 18.130.055; and adding a new section to chapter 18.130 RCW.

Referred to Committee on Health &amp; Long-Term Care.

HB 1349 by Representatives Orwall, Leavitt, Ramel, Kloba, Reed, Lekanoff, Pollet and Fosse

AN ACT Relating to foreclosure protections; amending RCW 61.24.008, 61.24.030, 61.24.040, 61.24.160, 61.24.163, 61.24.165, 61.24.166, and 61.24.190; adding a new section to chapter 61.24 RCW; providing a contingent expiration date; and declaring an emergency.

Referred to Committee on Housing.

ESHB 1377 by House Committee on Education (originally sponsored by Santos, Reed and Ortiz-Self)

AN ACT Relating to posting of approved courses and providers of continuing education on equity-based school practices, the national professional standards for education leaders, and government-to-government relationships, which is currently required for administrators and teachers; and amending RCW 28A.410.277.

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

2SHB 1391 by House Committee on Appropriations (originally sponsored by Ramel, Doglio, Duerr, Berry, Pollet and Reed)

AN ACT Relating to energy in buildings; amending RCW 70A.50.010; adding new sections to chapter 70A.50 RCW; and creating new sections.

Referred to Committee on Environment, Energy &amp; Technology.

HB 1407 by Representatives Taylor, Senn, Simmons, Stonier, Jacobsen, Bateman, Lekanoff, Peterson, Ramel, Macri, Pollet, Reed and Doglio

AN ACT Relating to maintaining eligibility for developmental disability services; and amending RCW 71A.16.040.

Referred to Committee on Human Services.

HB 1419 by Representatives Chapman and Goehner

AN ACT Relating to county treasurers' duties concerning registered warrants; amending RCW 36.29.010; and repealing RCW 36.29.040, 36.29.050, and 36.29.060.

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

HB 1420 by Representatives Hackney, Corry, Walen and Ormsby

AN ACT Relating to lien priority of mortgages and deeds of trust; adding a new section to chapter 61.12 RCW; and creating new sections.

Referred to Committee on Law &amp; Justice.

SHB 1458 by House Committee on Labor & Workplace Standards (originally sponsored by Shavers, Fosse, Santos, Berry, Simmons, Alvarado, Doglio, Ormsby, Gregerson and Pollet)

AN ACT Relating to unemployment insurance benefits for individuals participating in an apprenticeship program; and creating a new section.

Referred to Committee on Labor &amp; Commerce.

ESHB 1469 by House Committee on Civil Rights & Judiciary (originally sponsored by Hansen, Thai, Chopp, Fitzgibbon, Simmons, Berry, Slatter, Santos, Ryu, Street, Gregerson, Goodman, Peterson, Tharinger, Ramel, Macri, Ormsby, Reeves, Senn, Doglio, Riccelli, Alvarado, Bateman, Morgan, Callan, Bergquist and Pollet)

AN ACT Relating to protecting access to reproductive health care services and gender-affirming treatment in Washington state; amending RCW 5.51.020, 5.56.010, 9.73.040, 9.73.260, 10.55.020, 10.88.250, 10.88.320, 10.88.330, 10.96.020, 10.96.040, and 40.24.030; adding a new chapter to Title 7 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Law &amp; Justice.

2SHB 1470 by House Committee on Appropriations (originally sponsored by Ortiz-Self, Chopp, Simmons, Santos, Ryu, Orwall, Chapman, Gregerson, Doglio, Peterson, Ramel, Macri, Ormsby, Berg, Leavitt, Bateman, Morgan and Fey)

AN ACT Relating to private detention facilities; amending RCW 42.56.475, 70.395.010, and 70.395.020; adding new sections to chapter 70.395 RCW; creating new sections; prescribing penalties; and declaring an emergency.

Referred to Committee on Human Services.

SHB 1499 by House Committee on Human Services, Youth, & Early Learning (originally sponsored by Shavers, Ramel, Santos, Leavitt, Gregerson, Bateman, Ormsby, Doglio, Pollet, Reed, Ortiz-Self, Stonier and Fosse)

AN ACT Relating to food assistance funding; and amending RCW 43.23.290.

Referred to Committee on Human Services.

SHB 1501 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Steele, Calder, Santos, Leavitt, Schmidt, Eslick, Orwall, Reeves and Graham)

AN ACT Relating to authorizing additional counseling services for immediate family members of homicide victims; and amending RCW 7.68.080.

Referred to Committee on Human Services.

SHB 1504 by House Committee on Education (originally sponsored by Low, Alvarado, Eslick, Fosse, Donaghy, Cortes, Harris, Leavitt, Taylor, Duerr, Schmidt, Goodman, Graham, Volz, Doglio, Pollet, Macri, Reed, Riccelli and Callan)

AN ACT Relating to ensuring elementary school students receive sufficient daily recess for mental and physical health; adding a new section to chapter 28A.230 RCW; adding a new section to chapter 28A.210 RCW; and creating a new section.

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

HB 1507 by Representatives Entenman, Ramel, Alvarado, Orwall, Reeves, Doglio, Pollet, Macri, Morgan and Bergquist

AN ACT Relating to fair housing training for officers or board members in common interest communities; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; and adding a new section to chapter 64.90 RCW.

Referred to Committee on Law & Justice.

HB 1540 by Representatives Hutchins, Timmons, Low, Cheney, Cortes, Bronoske, Couture, Griffey, Donaghy, Robertson, Barkis, Simmons, Reed, Klicker, Riccelli, Doglio, Berry, Ramel, Paul, Graham and Rule

AN ACT Relating to requiring driver training curriculum to include instruction on sharing the road with large vehicles, including commercial motor vehicles and buses; amending RCW 46.82.420; and providing an effective date.

Referred to Committee on Transportation.

HB 1552 by Representatives Reeves, Ramel, Springer, Gregerson, Fosse and Doglio

AN ACT Relating to directing the state conservation commission to conduct a study of urban agricultural opportunities and barriers in the state; creating new sections; and providing an expiration date.

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

HB 1624 by Representatives Ybarra and Waters

AN ACT Relating to administering educational service district elections; and amending RCW 28A.310.090 and 28A.310.100.

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

HB 1695 by Representatives Alvarado, Lekanoff, Reed, Santos, Senn, Ramel, Pollet, Macri and Simmons

AN ACT Relating to defining affordable housing for purposes of using surplus public property for public benefit; and amending RCW 39.33.015.

Referred to Committee on Housing.

HB 1737 by Representatives Morgan, Street, Kretz, Waters, Reeves, Reed, Entenman, Donaghy, Cheney, Walsh, Wylie, Stearns, Orwall, Taylor, Chapman, Berg, Graham, Gregerson, Ormsby, Ramel, Santos, Calder, Pollet, Macri and Fosse

AN ACT Relating to enacting the reconciliation act; amending RCW 43.79.567; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

ESHB 1758 by House Committee on Environment & Energy (originally sponsored by Mena, Fitzgibbon, Chapman, Morgan and Reed)

AN ACT Relating to permitting for certain hatchery maintenance activities; amending RCW 90.58.355; adding a new section to chapter 90.58 RCW; and creating a new section.

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

HB 1771 by Representatives Donaghy, Gregerson, Ramel, Morgan, Fosse, Reed, Ormsby, Doglio, Peterson and Pollet

AN ACT Relating to relocation assistance for tenants of closed or converted manufactured/mobile home parks; and amending RCW 59.21.010, 59.21.021, and 59.21.040.

Referred to Committee on Housing.

HB 1772 by Representatives Waters, Orwall, Christian, Sandlin, Cheney, McClintock, Farivar, Timmons, Leavitt, Senn, Rule, Schmidt and Pollet

AN ACT Relating to prohibiting the manufacture, importation, and sale of products that combine alcohol and tetrahydrocannabinol; adding a new section to chapter 69.50 RCW; and adding a new section to chapter 66.28 RCW.

Referred to Committee on Labor & Commerce.

HB 1775 by Representatives Lekanoff, Chapman, Ramel and Reed

AN ACT Relating to limiting liability for salmon recovery projects performed by regional fisheries enhancement groups; and amending RCW 77.85.050.

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

HB 1792 by Representatives Timmons, Dent, Lekanoff, Fitzgibbon, Rule, Ramel, Springer and Eslick

AN ACT Relating to modifying timelines and other initial procedural actions in a water rights adjudication; and amending RCW 90.03.120, 90.03.130, 90.03.140, 90.03.625, 90.03.635, and 90.03.645.

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

Senator Robinson spoke in favor of the motion.

MOTIONS

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

At 9:06 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.

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The Senate was called to order at 11:00 a.m. by President Heck.

MOTION

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

THIRD READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Rolfes moved that Rosann Fitzpatrick, Senate Gubernatorial Appointment No. 9227, be confirmed as a member of the Tax Appeals Board.

Senator Rolfes spoke in favor of the motion.

APPOINTMENT OF ROSANN FITZPATRICK

The President declared the question before the Senate to be the confirmation of Rosann Fitzpatrick, Senate Gubernatorial Appointment No. 9227, as a member of the Tax Appeals Board.

The Secretary called the roll on the confirmation of Rosann Fitzpatrick, Senate Gubernatorial Appointment No. 9227, as a member of the Tax Appeals Board and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

Rosann Fitzpatrick, Senate Gubernatorial Appointment No. 9227, having received the constitutional majority was declared confirmed as a member of the Tax Appeals Board.

THIRD READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Robinson moved that Greg B. Markley, Senate Gubernatorial Appointment No. 9235, be confirmed as a member of the State Investment Board.

APPOINTMENT OF GREG B. MARKLEY

The President declared the question before the Senate to be the confirmation of Greg B. Markley, Senate Gubernatorial Appointment No. 9235, as a member of the State Investment Board.

The Secretary called the roll on the confirmation of Greg B. Markley, Senate Gubernatorial Appointment No. 9235, as a member of the State Investment Board and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

Greg B. Markley, Senate Gubernatorial Appointment No. 9235, having received the constitutional majority was declared confirmed as a member of the State Investment Board.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Students from Discovery Elementary School, Gig Harbor, who were seated in the gallery.

THIRD READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wilson, C. moved that Doug D. Baldwin, Jr., Gubernatorial Appointment No. 9252, be confirmed as a member of the Clemency and Pardons Board.

Senator Wilson, C. spoke in favor of the motion.

APPOINTMENT OF DOUG D. BALDWIN, JR.

The President declared the question before the Senate to be the confirmation of Doug D. Baldwin, Jr., Gubernatorial Appointment No. 9252, as a member of the Clemency and Pardons Board.

The Secretary called the roll on the confirmation of Doug D. Baldwin, Jr., Gubernatorial Appointment No. 9252, as a member of the Clemency and Pardons Board and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

Doug D. Baldwin, Jr., Gubernatorial Appointment No. 9252, having received the constitutional majority was declared

confirmed as a member of the Clemency and Pardons Board.

THIRD READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kauffman moved that Kaziputalimba Joshua, Senate Gubernatorial Appointment No. 9253, be confirmed as a member of the Clemency and Pardons Board.

Senator Kauffman spoke in favor of the motion.

APPOINTMENT OF KAZIPUTALIMBA JOSHUA

The President declared the question before the Senate to be the confirmation of Kaziputalimba Joshua, Senate Gubernatorial Appointment No. 9253, as a member of the Clemency and Pardons Board.

The Secretary called the roll on the confirmation of Kaziputalimba Joshua, Senate Gubernatorial Appointment No. 9253, as a member of the Clemency and Pardons Board and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

Kaziputalimba Joshua, Senate Gubernatorial Appointment No. 9253, having received the constitutional majority was declared confirmed as a member of the Clemency and Pardons Board.

PERSONAL PRIVILEGE

Senator Torres: "Thank you Mr. President. Tuesday night there was a tragic accident near Sunnyside. Two children from Grandview, ages 6 and 8, lost their lives. A 5-year-old that was also in the vehicle was transported to Harborview and so was the family member that was driving. The person that caused the crash, I believe, is also at Harborview. This was a head on collision that could have been avoided. But for now, I won't go into the details of the crash, you can probably look that up and read the Yakima Herald. But what I would like to request is a moment of silence for the family, for the Trejo family, as well for the first responders who were at the scene. No one should have to see little children die. This could have been avoided. So, I please ask the caucus to join me in a moment of silence."

MOMENT OF SILENCE

The Senate observed a moment of silence in honor of Trejo Family, who were involved in a deadly collision on March 1 and the First Responders who attended to them.

MOTION

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

SECOND READING

SENATE BILL NO. 5324, by Senators Conway, Nobles, Lovick, Fortunato, Hunt, Wagoner, Randall and Wilson, C.

Concerning the defense community compatibility account.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 5324 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway, Mullet and Wilson, J. 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. 5324.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5324 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

SENATE BILL NO. 5324, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5436, by Senators Wilson, J., Dozier and Fortunato

Concerning transfers of firearms to museums and historical societies.

MOTIONS

On motion of Senator Wilson, J., Substitute Senate Bill No. 5436 was substituted for Senate Bill No. 5436 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wilson, J., the rules were suspended, Substitute Senate Bill No. 5436 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, J. and Dhingra 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. 5436.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5436 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

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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.

MOTIONS

SUBSTITUTE SENATE BILL NO. 5436, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Mullet, Substitute Senate Bill No. 5303 was substituted for Senate Bill No. 5303 and the substitute bill was placed on the second reading and read the second time. Revised for 1st Substitute: Creating the public works revolving trust account.

On motion of Senator Mullet, the rules were suspended, Substitute Senate Bill No. 5303 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Hasegawa spoke on passage of the bill.

SECOND READING

SENATE BILL NO. 5753, by Senators Shewmake and Lovelett

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5303.

Concerning a cooperative agreement between the department of transportation and the Lummi Tribe of the Lummi Reservation, Washington concerning construction of a highway.

ROLL CALL

MOTIONS

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5303 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

On motion of Senator Shewmake, Substitute Senate Bill No. 5753 was substituted for Senate Bill No. 5753 and the substitute bill was placed on the second reading and read the second time. Revised for 1st Substitute: Concerning a roadway construction cooperative agreement between the department of transportation and the Lummi Nation.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Gildon, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, 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.

On motion of Senator Shewmake, the rules were suspended, Substitute Senate Bill No. 5753 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Voting nay: Senators Frame, Hasegawa and Lovelett

Senator Shewmake spoke in favor of passage of the bill.

SUBSTITUTE SENATE BILL NO. 5303, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5753.

SECOND READING

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5753 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

SENATE BILL NO. 5301, by Senators Mullet, Kuderer, Nguyen and Wilson, C.

Voting yea: Senators Billig, Boehnke, 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.

Concerning housing programs administered by the department of commerce.

MOTIONS

SUBSTITUTE SENATE BILL NO. 5753, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Mullet, Substitute Senate Bill No. 5301 was substituted for Senate Bill No. 5301 and the substitute bill was placed on the second reading and read the second time.

Senator Mullet moved that the following floor amendment no. 0124 by Senator Mullet be adopted:

SECOND READING

SENATE BILL NO. 5303, by Senators Mullet, Warnick, Boehnke, Holy, Keiser, Kuderer and Lovick

Beginning on page 5, line 37, after "(4)" strike all material through "state." on page 6, line 9 and insert "~~The department must give first priority to applications for projects and activities which utilize existing privately owned housing stock including privately owned housing stock purchased by nonprofit public development authorities and public housing authorities as created in chapter 35.82 RCW. As used in this subsection, privately owned housing stock includes housing that is acquired by a federal agency through a default on the mortgage by the private owner. Such projects and activities must be evaluated under subsection (5) of this section. Second priority must be given to activities and~~

Creating the public works assistance revolving account.

~~projects which utilize existing publicly owned housing stock.)"~~

Senator Mullet spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0124 by Senator Mullet on page 5, line 37 to Substitute Senate Bill No. 5301.

The motion by Senator Mullet carried and floor amendment no. 0124 was adopted by voice vote.

#### MOTION

On motion of Senator Mullet, the rules were suspended, Engrossed Substitute Senate Bill No. 5301 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5301.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5301 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5301, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5399, by Senators Mullet and Dozier

Providing for future listing right purchase contracts. Revised for

#### MOTIONS

On motion of Senator Mullet, Substitute Senate Bill No. 5399 was substituted for Senate Bill No. 5399 and the substitute bill was placed on the second reading and read the second time. 1st Substitute: Concerning future listing right purchase contracts.

On motion of Senator Mullet, the rules were suspended, Substitute Senate Bill No. 5399 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and Dozier 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. 5399.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5399 and the bill passed the Senate by the

following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

SUBSTITUTE SENATE BILL NO. 5399, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### REMARKS BY THE PRESIDENT

President Heck: "Senator Mullet, you mentioned earlier that you are in the pizza and ice cream business. The President would like to point out that later this month Senator Muzzall, who is a farmer as we well know, is generously donating some beef for a luncheon, a special luncheon, for us all. So..."

#### SECOND READING

SENATE BILL NO. 5096, by Senators Padden, Pedersen, Hasegawa and Schoesler

Concerning employee ownership.

#### MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 5096 was substituted for Senate Bill No. 5096 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 5096 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden, Stanford and Hasegawa spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5096.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5096 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

SUBSTITUTE SENATE BILL NO. 5096, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING



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SENATE BILL NO. 5369, by Senators Billig, Padden, Short, Shewmake, Schoesler, Lovelett, Conway, Boehnke, Salomon, Nguyen, Van De Wege, Wagoner, Dhingra, Dozier, Hasegawa, Hunt, Keiser, Randall, Torres and Valdez

On page 5, line 18, after "~~registration~~")" insert "integrated"

Reassessing standards for polychlorinated biphenyls in consumer products.

Senator Torres spoke in favor of adoption of the amendment. The President declared the question before the Senate to be the adoption of floor amendment no. 0043 by Senator Torres on page 1, line 7 to Substitute Senate Bill No. 5143.

The measure was read the second time.

The motion by Senator Torres carried and floor amendment no. 0043 was adopted by voice vote.

MOTION

MOTIONS

On motion of Senator Billig, the rules were suspended, Senate Bill No. 5369 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

On motion of Senator Torres, the rules were suspended, Engrossed Substitute Senate Bill No. 5143 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Torres 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. 5369.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5143.

ROLL CALL

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5369 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5143 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

Voting yea: Senators Billig, Boehnke, 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.

SENATE BILL NO. 5369, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5143, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

MOTION

SENATE BILL NO. 5143, by Senators Torres, Dhingra, Rolfes, Saldaña, Shewmake and Warnick

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

Changing the name and membership of the commission on pesticide registration.

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.

MOTIONS

MOTION

On motion of Senator Torres, Engrossed Substitute Senate Bill No. 5143 was substituted for Senate Bill No. 5143 and the substitute bill was placed on the second reading and read the second time. Revised for 1st Substitute: Changing the name of and adding a member to the commission on pesticide registration.

At 12:19 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Torres moved that the following floor amendment no. 0043 by Senator Torres be adopted:

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- On page 1, line 7, after "~~registration~~")" insert "integrated"
- On page 2, line 39, after "~~registration~~")" insert "integrated"
- On page 3, line 2, after "~~registration~~")" insert "integrated"
- On page 3, line 4, after "~~registration~~")" insert "integrated"
- On page 3, line 7, after "~~registration~~")" insert "integrated"
- On page 3, line 19, after "~~registration~~")" insert "integrated"
- On page 3, line 27, after "~~registration~~")" insert "integrated"
- On page 3, line 37, after "~~registration~~")" insert "integrated"
- On page 4, line 35, after "on" insert "integrated"

The Senate was called to order at 1:19 p.m. by President Heck.

SECOND READING

SENATE BILL NO. 5440, by Senators Dhingra, Nguyen, Saldaña, Valdez, Van De Wege and Wilson, C.

Providing timely competency evaluations and restoration services to persons suffering from behavioral health disorders.

## MOTIONS

On motion of Senator Dhingra, Second Substitute Senate Bill No. 5440 was substituted for Senate Bill No. 5440 and the substitute bill was placed on the second reading and read the second time.

Senator Dhingra moved that the following striking floor amendment no. 0139 by Senator Dhingra be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that defendants referred for services related to competency to stand trial requiring admission into a psychiatric facility are currently facing unprecedented wait times in jail for admission. The situation has been exacerbated by closure of forensic beds and workforce shortages related to COVID-19, and treatment capacity limits related to social distancing requirements. Moreover, a backlog of criminal prosecutions that were held back during the first two years of the pandemic due to capacity limitations in courts, prosecuting attorneys offices, and jails, are now being filed, causing a surge in demand for competency services which exceeds the state's capacity to make a timely response. In partial consequence, as of January 2023, wait times for admission to western state hospital for competency services, directed to be completed within seven days by order of the United States district court for western Washington, have risen to over ten months, while wait times for admission to eastern state hospital for the same services have risen to over five months. The state's forensic bed capacity forecast model indicates that if the state continues to receive competency referrals from local superior, district, and municipal courts at the same volume, the state will rapidly fall farther behind.

The legislature further finds that historical investments and policy changes have been made in behavioral health services over the past five years, designed to both increase capacity to provide competency to stand trial services and to reduce the need for them by creating opportunities for diversion, prevention, and improved community health. New construction at western state hospital is expected to result in the opening of 58 forensic psychiatric beds in the first quarter of 2023, while emergency community hospital contracts are expected to allow for the discharge or transfer of over 50 civil conversion patients occupying forensic state hospital beds over the same period. Sixteen beds for civil conversion patients will open at Maple Lane school in the first quarter of 2023, with 30 additional beds for patients acquitted by reason of insanity expected to open by late 2023 or early 2024. Over a longer time period, 350 forensic beds are planned to open within a new forensic hospital on western state hospital campus between 2027 and 2029. Policy and budget changes have increased capacity for assisted outpatient treatment, 988 crisis response, use of medication for opioid use disorders in jails and community settings, reentry services, and mental health advance directives, and created new behavioral health facility types, supportive housing, and supportive employment services. Forensic navigator services, outpatient competency restoration programs, and other specialty forensic services are now available and continuing to be deployed in phase two *Trueblood* settlement regions.

The legislature further finds that despite these investments there is a need for everyone to come together to find solutions to both reduce demand for forensic services and to increase their supply. The state needs collaboration from local governments and other entities to identify any and all facilities that can be used to provide services to patients connected to the forensic system, to reduce the flow of competency referrals coming from municipal,

district, and superior courts, and to improve availability and effectiveness of behavioral health services provided outside the criminal justice system.

**Sec. 2.** RCW 10.77.010 and 2022 c 288 s 1 are each reenacted and amended to read as follows:

As used in this chapter:

(1) "Admission" means acceptance based on medical necessity, of a person as a patient.

(2) "Authority" means the Washington state health care authority.

(3) "Clinical intervention specialist" means a licensed professional with prescribing authority who is employed by or contracted with the department to provide direct services, enhanced oversight and monitoring of the behavioral health status of in-custody defendants who have been referred for evaluation or restoration services related to competency to stand trial and who coordinate treatment options with forensic navigators, the department, and jail health services.

(4) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less-restrictive setting.

~~((4))~~ (5) "Community behavioral health agency" has the same meaning as "licensed or certified behavioral health agency" defined in RCW 71.24.025.

~~((5))~~ (6) "Conditional release" means modification of a court-ordered commitment, which may be revoked upon violation of any of its terms.

~~((6))~~ (7) A "criminally insane" person means any person who has been acquitted of a crime charged by reason of insanity, and thereupon found to be a substantial danger to other persons or to present a substantial likelihood of committing criminal acts jeopardizing public safety or security unless kept under further control by the court or other persons or institutions.

~~((7))~~ (8) "Department" means the state department of social and health services.

~~((8))~~ (9) "Designated crisis responder" has the same meaning as provided in RCW 71.05.020.

~~((9))~~ (10) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter, pending evaluation.

~~((10))~~ (11) "Developmental disabilities professional" means a person who has specialized training and ~~((three years of))~~ experience in directly treating or working with persons with developmental disabilities and is a psychiatrist or psychologist, or a social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary.

~~((11))~~ (12) "Developmental disability" means the condition as defined in RCW 71A.10.020~~((5))~~.

~~((12))~~ (13) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order.

~~((13))~~ (14) "Furlough" means an authorized leave of absence for a resident of a state institution operated by the department designated for the custody, care, and treatment of the criminally insane, consistent with an order of conditional release from the court under this chapter, without any requirement that the resident be accompanied by, or be in the custody of, any law enforcement or institutional staff, while on such unescorted leave.

~~((14))~~ (15) "Genuine doubt as to competency" means that there is reasonable cause to believe, based upon actual interactions with or observations of the defendant or information provided by counsel, that a defendant is incompetent to stand trial.

(16) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include

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education, training for employment, and therapy. The rehabilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct.

~~((45))~~ (17) "History of one or more violent acts" means violent acts committed during: (a) The ten-year period of time prior to the filing of criminal charges; plus (b) the amount of time equal to time spent during the ten-year period in a mental health facility or in confinement as a result of a criminal conviction.

~~((46))~~ (18) "Immediate family member" means a spouse, child, stepchild, parent, stepparent, grandparent, sibling, or domestic partner.

~~((47))~~ (19) "Incompetency" means a person lacks the capacity to understand the nature of the proceedings against him or her or to assist in his or her own defense as a result of mental disease or defect.

~~((48))~~ (20) "Indigent" means any person who is financially unable to obtain counsel or other necessary expert or professional services without causing substantial hardship to the person or his or her family.

~~((49))~~ (21) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for an individual with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual release, and a projected possible date for release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences.

~~((20))~~ (22) "Professional person" means:

(a) A psychiatrist licensed as a physician and surgeon in this state who has, in addition, completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology or the American osteopathic board of neurology and psychiatry;

(b) A psychologist licensed as a psychologist pursuant to chapter 18.83 RCW;

(c) A psychiatric advanced registered nurse practitioner, as defined in RCW 71.05.020; or

(d) A social worker with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010.

~~((21))~~ (23) "Release" means legal termination of the court-ordered commitment under the provisions of this chapter.

~~((22))~~ (24) "Secretary" means the secretary of the department of social and health services or his or her designee.

~~((23))~~ (25) "Treatment" means any currently standardized medical or mental health procedure including medication.

~~((24))~~ (26) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by behavioral health administrative services organizations and their staffs, by managed

care organizations and their staffs, and by treatment facilities. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, behavioral health administrative services organizations, managed care organizations, or a treatment facility if the notes or records are not available to others.

~~((25))~~ (27) "Violent act" means behavior that: (a)(i) Resulted in; (ii) if completed as intended would have resulted in; or (iii) was threatened to be carried out by a person who had the intent and opportunity to carry out the threat and would have resulted in, homicide, nonfatal injuries, or substantial damage to property; or (b) recklessly creates an immediate risk of serious physical injury to another person. As used in this subsection, "nonfatal injuries" means physical pain or injury, illness, or an impairment of physical condition. "Nonfatal injuries" shall be construed to be consistent with the definition of "bodily injury," as defined in RCW 9A.04.110.

**Sec. 3.** RCW 10.77.060 and 2022 c 288 s 2 are each amended to read as follows:

(1)(a) Whenever a defendant has pleaded not guilty by reason of insanity, ~~((or there is reason to doubt his or her competency,))~~ the court on its own motion or on the motion of any party shall either appoint or request the secretary to designate a qualified expert or professional person, who shall be approved by the prosecuting attorney, to evaluate and report upon the mental condition of the defendant.

(b) Whenever there is a doubt as to competency, the court on its own motion or on the motion of any party shall first review the allegations of incompetency. The court shall make a determination of whether sufficient facts have been provided to form a genuine doubt as to competency based on information provided by counsel, judicial colloquy, or direct observation of the defendant. If a genuine doubt as to competency exists, the court shall either appoint or request the secretary to designate a qualified expert or professional person, who shall be approved by the prosecuting attorney, to evaluate and report upon the mental condition of the defendant.

(c) The signed order of the court shall serve as authority for the evaluator to be given access to all records held by any mental health, medical, educational, or correctional facility that relate to the present or past mental, emotional, or physical condition of the defendant. If the court is advised by any party that the defendant may have a developmental disability, the evaluation must be performed by a developmental disabilities professional and the evaluator shall have access to records of the developmental disabilities administration of the department.

~~((e))~~ (d) The evaluator shall assess the defendant in a jail, detention facility, in the community, or in court to determine whether a period of inpatient commitment will be necessary to complete an accurate evaluation. If inpatient commitment is needed, the signed order of the court shall serve as authority for the evaluator to request the jail or detention facility to transport the defendant to a hospital or secure mental health facility for a period of commitment not to exceed fifteen days from the time of admission to the facility. Otherwise, the evaluator shall complete the evaluation.

~~((d))~~ (e) The court may commit the defendant for evaluation to a hospital or secure mental health facility without an assessment if: (i) The defendant is charged with murder in the first or second degree; (ii) the court finds that it is more likely than not that an evaluation in the jail will be inadequate to complete an accurate evaluation; or (iii) the court finds that an evaluation outside the jail setting is necessary for the health, safety, or welfare of the defendant. The court shall not order an initial inpatient evaluation for any purpose other than a competency

evaluation.

~~((e))~~ (f) The order shall indicate whether, in the event the defendant is committed to a hospital or secure mental health facility for evaluation, all parties agree to waive the presence of the defendant or to the defendant's remote participation at a subsequent competency hearing or presentation of an agreed order if the recommendation of the evaluator is for continuation of the stay of criminal proceedings, or if the opinion of the evaluator is that the defendant remains incompetent and there is no remaining restoration period, and the hearing is held prior to the expiration of the authorized commitment period.

~~((f))~~ (g) When a defendant is ordered to be evaluated under this subsection (1), or when a party or the court determines at first appearance that an order for evaluation under this subsection will be requested or ordered if charges are pursued, the court may delay granting bail until the defendant has been evaluated for competency or sanity and appears before the court. Following the evaluation, in determining bail the court shall consider: (i) Recommendations of the evaluator regarding the defendant's competency, sanity, or diminished capacity; (ii) whether the defendant has a recent history of one or more violent acts; (iii) whether the defendant has previously been acquitted by reason of insanity or found incompetent; (iv) whether it is reasonably likely the defendant will fail to appear for a future court hearing; and (v) whether the defendant is a threat to public safety.

(h) If the defendant ordered to be evaluated under this subsection (1) is charged with a serious traffic offense under RCW 9.94A.030, or a felony version of a serious traffic offense, the prosecutor may make a motion to modify the defendant's conditions of release to include a condition prohibiting the defendant from driving during the pendency of the competency evaluation period.

(2) The court may direct that a qualified expert or professional person retained by or appointed for the defendant be permitted to witness the evaluation authorized by subsection (1) of this section, and that the defendant shall have access to all information obtained by the court appointed experts or professional persons. The defendant's expert or professional person shall have the right to file his or her own report following the guidelines of subsection (3) of this section. If the defendant is indigent, the court shall upon the request of the defendant assist him or her in obtaining an expert or professional person.

(3) The report of the evaluation shall include the following:

(a) A description of the nature of the evaluation;

(b) A diagnosis or description of the current mental status of the defendant;

(c) If the defendant suffers from a mental disease or defect, or has a developmental disability, an opinion as to competency;

(d) If the defendant has indicated his or her intention to rely on the defense of insanity pursuant to RCW 10.77.030, and an evaluation and report by an expert or professional person has been provided concluding that the defendant was criminally insane at the time of the alleged offense, an opinion as to the defendant's sanity at the time of the act, and an opinion as to whether the defendant presents a substantial danger to other persons, or presents a substantial likelihood of committing criminal acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions, provided that no opinion shall be rendered under this subsection (3)(d) unless the evaluator or court determines that the defendant is competent to stand trial;

(e) When directed by the court, if an evaluation and report by an expert or professional person has been provided concluding that the defendant lacked the capacity at the time of the offense to form the mental state necessary to commit the charged offense, an opinion as to the capacity of the defendant to have a particular

state of mind which is an element of the offense charged;

(f) An opinion as to whether the defendant should be evaluated by a designated crisis responder under chapter 71.05 RCW.

(4) The secretary may execute such agreements as appropriate and necessary to implement this section and may choose to designate more than one evaluator.

(5) In the event that a person remains in jail more than 21 days after service on the department of a court order to transport the person to a facility designated by the department for inpatient competency restoration treatment, upon the request of any party and with notice to all parties, the department shall perform a competency to stand trial status check to determine if the circumstances of the person have changed such that the court should authorize an updated competency evaluation. The status update shall be provided to the parties and the court. Status updates may be provided at reasonable intervals.

(6) If a finding of the competency evaluation under this section or under RCW 10.77.084 is that the individual is not competent due to an intellectual or developmental disability, the evaluator shall notify the department, which shall refer the individual to the developmental disabilities administration of the department for review of eligibility for services. Information about availability of services must be provided to the forensic navigator.

(7) If the expert or professional person appointed to perform a competency evaluation is not able to complete the evaluation after two attempts at scheduling with the defendant, the department shall submit a report to the court and parties and include a date and time for another evaluation which must be at least four weeks later. The court shall provide notice to the defendant of the date and time of the evaluation. If the defendant fails to appear at that appointment, the court shall issue a warrant for the failure to appear and recall the order for competency evaluation.

**Sec. 4.** RCW 10.77.068 and 2022 c 288 s 3 are each amended to read as follows:

(1)(a) The legislature establishes a performance target of seven days or fewer to extend an offer of admission to a defendant in pretrial custody for inpatient competency evaluation or inpatient competency restoration services, when access to the services is legally authorized.

(b) The legislature establishes a performance target of 14 days or fewer for the following services related to competency to stand trial, when access to the services is legally authorized:

(i) To complete a competency evaluation in jail and distribute the evaluation report; and

(ii) To extend an offer of admission to a defendant ordered to be committed to ~~((a state hospital))~~ the department for placement in a facility operated by or contracted by the department following dismissal of charges based on incompetency to stand trial under RCW 10.77.086.

(c) The legislature establishes a performance target of 21 days or fewer to complete a competency evaluation in the community and distribute the evaluation report.

(2)(a) A maximum time limit of seven days as measured from the department's receipt of the court order, or a maximum time limit of 14 days as measured from signature of the court order, whichever is shorter, is established to complete the services specified in subsection (1)(a) of this section, subject to the limitations under subsection (9) of this section.

(b) A maximum time limit of 14 days as measured from the department's receipt of the court order, or a maximum time limit of 21 days as measured from signature of the court order, whichever is shorter, is established to complete the services specified in subsection (1)(b) of this section, subject to the limitations under subsection (9) of this section.

(3) The legislature recognizes that these targets may not be achievable in all cases, but intends for the department to manage,

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allocate, and request appropriations for resources in order to meet these targets whenever possible without sacrificing the accuracy and quality of competency services.

(4) It shall be a defense to an allegation that the department has exceeded the maximum time limits for completion of competency services described in subsection (2) of this section if the department can demonstrate by a preponderance of the evidence that the reason for exceeding the maximum time limits was outside of the department's control including, but not limited to, the following circumstances:

(a) Despite a timely request, the department has not received necessary medical information regarding the current medical status of a defendant;

(b) The individual circumstances of the defendant make accurate completion of an evaluation of competency to stand trial dependent upon review of mental health, substance use disorder, or medical history information which is in the custody of a third party and cannot be immediately obtained by the department, provided that completion shall not be postponed for procurement of information which is merely supplementary;

(c) Additional time is needed for the defendant to no longer show active signs and symptoms of impairment related to substance use so that an accurate evaluation may be completed;

(d) The defendant is medically unavailable for competency evaluation or admission to a facility for competency restoration;

(e) Completion of the referral requires additional time to accommodate the availability or participation of counsel, court personnel, interpreters, or the defendant;

(f) The defendant asserts legal rights that result in a delay in the provision of competency services; or

(g) An unusual spike in the receipt of evaluation referrals or in the number of defendants requiring restoration services has occurred, causing temporary delays until the unexpected excess demand for competency services can be resolved.

(5) The department shall provide written notice to the court when it will not be able to meet the maximum time limits under subsection (2) of this section and identify the reasons for the delay and provide a reasonable estimate of the time necessary to complete the competency service. Good cause for an extension for the additional time estimated by the department shall be presumed absent a written response from the court or a party received by the department within seven days.

(6) The department shall:

(a) Develop, document, and implement procedures to monitor the clinical status of defendants admitted to a state hospital for competency services that allow the state hospital to accomplish early discharge for defendants for whom clinical objectives have been achieved or may be achieved before expiration of the commitment period;

(b) Investigate the extent to which patients admitted to a state hospital under this chapter overstay time periods authorized by law and take reasonable steps to limit the time of commitment to authorized periods; and

(c) Establish written standards for the productivity of forensic evaluators and utilize these standards to internally review the performance of forensic evaluators.

(7) Following any quarter in which a state hospital has failed to meet one or more of the performance targets or maximum time limits under subsection (1) or (2) of this section, the department shall report to the executive and the legislature the extent of this deviation and describe any corrective action being taken to improve performance. This report shall be made publicly available. An average may be used to determine timeliness under this subsection.

(8) The department shall report annually to the legislature and

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the executive on the timeliness of services related to competency to stand trial and the timeliness with which court referrals accompanied by charging documents, discovery, and criminal history information are provided to the department relative to the signature date of the court order. The report must be in a form that is accessible to the public and that breaks down performance by county.

(9) This section does not create any new entitlement or cause of action related to the timeliness of competency to stand trial services, nor can it form the basis for contempt sanctions under chapter 7.21 RCW or a motion to dismiss criminal charges.

**Sec. 5.** RCW 10.77.074 and 2019 c 326 s 2 are each amended to read as follows:

(1) Subject to the limitations described in subsection (2) of this section, a court may appoint an impartial forensic navigator employed by or contracted by the department to assist individuals who have been referred for competency evaluation and shall appoint a forensic navigator in circumstances described under section 9 of this act.

(2) A forensic navigator must assist the individual to access services related to diversion and community outpatient competency restoration. The forensic navigator must assist the individual, prosecuting attorney, defense attorney, and the court to understand the options available to the individual and be accountable as an officer of the court for faithful execution of the responsibilities outlined in this section.

(3) The duties of the forensic navigator include, but are not limited to, the following:

(a) To collect relevant information about the individual, including behavioral health services and supports available to the individual that might support placement in outpatient restoration, diversion, or some combination of these;

(b) To meet with, interview, and observe the individual;

(c) To assess the individual for appropriateness for assisted outpatient treatment under chapter 71.05 RCW;

(d) To present information to the court in order to assist the court in understanding the treatment options available to the individual to support the entry of orders for diversion from the forensic mental health system or for community outpatient competency restoration, ~~(and)~~ to facilitate that transition; ~~(and~~ ~~ed))~~ (e) To provide regular updates to the court and parties of the status of the individual's participation in diversion services and be responsive to inquiries by the parties about treatment status;

(f) When the individual is ordered to receive community outpatient restoration, to provide services to the individual including:

(i) Assisting the individual with attending appointments and classes relating to outpatient competency restoration;

(ii) Coordinating access to housing for the individual;

(iii) Meeting with the individual on a regular basis;

(iv) Providing information to the court concerning the individual's progress and compliance with court-ordered conditions of release, which may include appearing at court hearings to provide information to the court;

(v) Coordinating the individual's access to community case management services and mental health services;

(vi) Assisting the individual with obtaining prescribed medication and encouraging adherence with prescribed medication;

(vii) Assessing the individual for appropriateness for assisted outpatient treatment under chapter 71.05 RCW and coordinating the initiation of an assisted outpatient treatment order if appropriate as part of a diversion program plan;

(viii) Planning for a coordinated transition of the individual to

a case manager in the community behavioral health system;

~~((viii))~~ (ix) Attempting to follow-up with the individual to check whether the meeting with a community-based case manager took place;

~~((ix))~~ (x) When the individual is a high utilizer, attempting to connect the individual with high utilizer services; and

~~((x))~~ (xi) Attempting to check up on the individual at least once per month for up to sixty days after coordinated transition to community behavioral health services, without duplicating the services of the community-based case manager;

(g) If the individual is an American Indian or Alaska Native who receives medical, behavioral health, housing, or other supportive services from a tribe within this state, to notify and coordinate with the tribe and Indian health care provider. Notification shall be made in person or by telephonic or electronic communication to the tribal contact listed in the authority's tribal crisis coordination plan as soon as possible.

(4) Forensic navigators may submit ~~((nonclinical))~~ recommendations to the court regarding treatment and restoration options for the individual, which the court may consider and weigh in conjunction with the recommendations of all of the parties.

(5) Forensic navigators shall be deemed officers of the court for the purpose of immunity from civil liability.

(6) The signed order for competency evaluation from the court shall serve as authority for the forensic navigator to be given access to all records held by a behavioral health, educational, or law enforcement agency or a correctional facility that relates to an individual. Information that is protected by state or federal law, including health information, shall not be entered into the court record without the consent of the individual or their defense attorney.

(7) Admissions made by the individual in the course of receiving services from the forensic navigator may not be used against the individual in the prosecution's case in chief.

(8) A court may not issue an order appointing a forensic navigator unless the department certifies that there is adequate forensic navigator capacity to provide these services at the time the order is issued.

**Sec. 6.** RCW 10.77.084 and 2016 sp.s. c 29 s 410 are each amended to read as follows:

(1)(a) If at any time during the pendency of an action and prior to judgment the court finds, following a report as provided in RCW 10.77.060, a defendant is incompetent, the court shall order the proceedings against the defendant be stayed except as provided in subsection (4) of this section. If the defendant is charged with a serious traffic offense under RCW 9.94A.030, or a felony version of a serious traffic offense, the court may order the clerk to transmit an order to the department of licensing for revocation of the defendant's driver's license for a period of one year.

(b) The court may order a defendant who has been found to be incompetent to undergo competency restoration treatment at a facility designated by the department if the defendant is eligible under RCW 10.77.086 or 10.77.088. At the end of each competency restoration period or at any time a professional person determines competency has been, or is unlikely to be, restored, the defendant shall be returned to court for a hearing, except that if the opinion of the professional person is that the defendant remains incompetent and the hearing is held before the expiration of the current competency restoration period, the parties may agree to waive the defendant's presence, to remote participation by the defendant at a hearing, or to presentation of an agreed order in lieu of a hearing. The facility shall promptly notify the court and all parties of the date on which the competency restoration period commences and expires so that a

timely hearing date may be scheduled.

(c) The court's order for inpatient restoration, shall specify whether the department has the authority to change the defendant's placement to a step-down facility or outpatient competency restoration program if the department determines that such placement is clinically appropriate given the defendant's progress in restoration services.

(d) If, following notice and hearing or entry of an agreed order under (b) of this subsection, the court finds that competency has been restored, the court shall lift the stay entered under (a) of this subsection. If the court finds that competency has not been restored, the court shall dismiss the proceedings without prejudice, except that the court may order a further period of competency restoration treatment if it finds that further treatment within the time limits established by RCW 10.77.086 or 10.77.088 is likely to restore competency, and a further period of treatment is allowed under RCW 10.77.086 or 10.77.088.

~~((d))~~ (e) If at any time during the proceeding the court finds, following notice and hearing, a defendant is not likely to regain competency, the court shall dismiss the proceedings without prejudice and refer the defendant for civil commitment evaluation or proceedings if appropriate under RCW 10.77.065, 10.77.086, or 10.77.088.

(f) If the court issues an order directing revocation of the defendant's driver's license under (a) of this subsection, and the court subsequently finds that the defendant's competency has been restored, the court shall order the clerk to transmit an order to the department of licensing for reinstatement of the defendant's driver's license. The court may direct the clerk to transmit an order reinstating the defendant's driver's license before the end of one year for good cause upon the petition of the defendant.

(2) If the defendant is referred for evaluation by a designated crisis responder under this chapter, the designated crisis responder shall provide prompt written notification of the results of the evaluation and whether the person was detained. The notification shall be provided to the court in which the criminal action was pending, the prosecutor, the defense attorney in the criminal action, and the facility that evaluated the defendant for competency.

(3) The fact that the defendant is unfit to proceed does not preclude any pretrial proceedings which do not require the personal participation of the defendant.

(4) A defendant receiving medication for either physical or mental problems shall not be prohibited from standing trial, if the medication either enables the defendant to understand the proceedings against him or her and to assist in his or her own defense, or does not disable him or her from so understanding and assisting in his or her own defense.

(5) At or before the conclusion of any commitment period provided for by this section, the facility providing evaluation and treatment shall provide to the court a written report of evaluation which meets the requirements of RCW 10.77.060(3). For defendants charged with a felony, the report following the second competency restoration period or first competency restoration period if the defendant's incompetence is determined to be solely due to a developmental disability or the evaluator concludes that the defendant is not likely to regain competency must include an assessment of the defendant's future dangerousness which is evidence-based regarding predictive validity.

**Sec. 7.** RCW 10.77.086 and 2022 c 288 s 4 are each amended to read as follows:

(1) If the defendant is charged with a felony and determined to be incompetent, until he or she has regained the competency necessary to understand the proceedings against him or her and assist in his or her own defense, but in any event for a period of no longer than 90 days, the court shall commit the defendant to

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the custody of the secretary for inpatient competency restoration, or may alternatively order the defendant to receive outpatient competency restoration based on a recommendation from a forensic navigator and input from the parties.

(a) To be eligible for an order for outpatient competency restoration, a defendant must be clinically appropriate and be willing to:

(i) Adhere to medications or receive prescribed intramuscular medication;

(ii) Abstain from alcohol and unprescribed drugs; and

(iii) Comply with urinalysis or breathalyzer monitoring if needed.

(b) If the court orders inpatient competency restoration, the department shall place the defendant in an appropriate facility of the department for competency restoration.

(c) If the court orders outpatient competency restoration, the court shall modify conditions of release as needed to authorize the department to place the person in approved housing, which may include access to supported housing, affiliated with a contracted outpatient competency restoration program. The department, in conjunction with the health care authority, must establish rules for conditions of participation in the outpatient competency restoration program, which must include the defendant being subject to medication management. The court may order regular urinalysis testing. The outpatient competency restoration program shall monitor the defendant during the defendant's placement in the program and report any noncompliance or significant changes with respect to the defendant to the department and, if applicable, the forensic navigator.

(d) If a defendant fails to comply with the restrictions of the outpatient restoration program such that restoration is no longer appropriate in that setting or the defendant is no longer clinically appropriate for outpatient competency restoration, the director of the outpatient competency restoration program shall notify the authority and the department of the need to terminate the outpatient competency restoration placement and intent to request placement for the defendant in an appropriate facility of the department for inpatient competency restoration. The outpatient competency restoration program shall coordinate with the authority, the department, and any law enforcement personnel under (d)(i) of this subsection to ensure that the time period between termination and admission into the inpatient facility is as minimal as possible. The time period for inpatient competency restoration shall be reduced by the time period spent in active treatment within the outpatient competency restoration program, excluding time periods in which the defendant was absent from the program and all time from notice of termination of the outpatient competency restoration period through the defendant's admission to the facility. The department shall obtain a placement for the defendant within seven days of the notice of intent to terminate the outpatient competency restoration placement.

(i) The department may authorize a peace officer to detain the defendant into emergency custody for transport to the designated inpatient competency restoration facility. If medical clearance is required by the designated competency restoration facility before admission, the peace officer must transport the defendant to a crisis stabilization unit, evaluation and treatment facility, emergency department of a local hospital, or triage facility for medical clearance once a bed is available at the designated inpatient competency restoration facility. The signed outpatient competency restoration order of the court shall serve as authority for the detention of the defendant under this subsection. This subsection does not preclude voluntary transportation of the defendant to a facility for inpatient competency restoration or for medical clearance, or authorize admission of the defendant into

jail.

(ii) The department shall notify the court and parties of the defendant's admission for inpatient competency restoration before the close of the next judicial day. The court shall schedule a hearing within five days to review the conditions of release of the defendant and anticipated release from treatment and issue appropriate orders.

(e) The court may not issue an order for outpatient competency restoration unless the ~~((department))~~ authority certifies that there is an available appropriate outpatient competency restoration program that has adequate space for the person at the time the order is issued or the court places the defendant under the guidance and control of a professional person identified in the court order.

(2) For a defendant whose highest charge is a class C felony, or a class B felony that is not classified as violent under RCW 9.94A.030, the maximum time allowed for the initial competency restoration period is 45 days if the defendant is referred for inpatient competency restoration, or 90 days if the defendant is referred for outpatient competency restoration, provided that if the outpatient competency restoration placement is terminated and the defendant is subsequently admitted to an inpatient facility, the period of inpatient treatment during the first competency restoration period under this subsection shall not exceed 45 days.

(3) If the court determines or the parties agree before the initial competency restoration period or at any subsequent stage of the proceedings that the defendant is unlikely to regain competency, the court may dismiss the charges without prejudice without ordering the defendant to undergo an initial or further period of competency restoration treatment, in which case the court shall order that the defendant be referred for evaluation for civil commitment in the manner provided in subsection (5) of this section.

(4) On or before expiration of the initial competency restoration period the court shall conduct a hearing to determine whether the defendant is now competent to stand trial. If the court finds by a preponderance of the evidence that the defendant is incompetent to stand trial, the court may order an extension of the competency restoration period for an additional period of 90 days, but the court must at the same time set a date for a new hearing to determine the defendant's competency to stand trial before the expiration of this second restoration period. The defendant, the defendant's attorney, and the prosecutor have the right to demand that the hearing be before a jury. No extension shall be ordered for a second or third competency restoration period if the defendant's incompetence has been determined by the secretary to be solely the result of a developmental disability which is such that competence is not reasonably likely to be regained during an extension.

(5) At the hearing upon the expiration of the second competency restoration period, or at the end of the first competency restoration period if the defendant is ineligible for a second or third competency restoration period under subsection (4) of this section, if the jury or court finds that the defendant is incompetent to stand trial, the court shall dismiss the charges without prejudice and order the defendant to be committed to ~~((a state hospital))~~ the department for placement in a facility operated or contracted by the department for up to 120 hours if the defendant has not undergone competency restoration services or has engaged in outpatient competency restoration services and up to 72 hours if the defendant engaged in inpatient competency restoration services starting from admission to the facility, excluding Saturdays, Sundays, and holidays, for evaluation for the purpose of filing a civil commitment petition under chapter 71.05 RCW. However, the court shall not dismiss the charges if

the court or jury finds that: (a) The defendant (i) is a substantial danger to other persons; or (ii) presents a substantial likelihood of committing criminal acts jeopardizing public safety or security; and (b) there is a substantial probability that the defendant will regain competency within a reasonable period of time. If the court or jury makes such a finding, the court may extend the period of commitment for up to an additional six months.

(6) Any period of competency restoration treatment under this section includes only the time the defendant is actually at the facility or is actively participating in an outpatient competency restoration program and is in addition to reasonable time for transport to or from the facility.

**Sec. 8.** RCW 10.77.088 and 2022 c 288 s 5 are each amended to read as follows:

(1) If the defendant is charged with a nonfelony crime which is a serious offense as identified in RCW 10.77.092 and found by the court to be not competent, then the court:

(a) Shall dismiss the proceedings without prejudice and detain the defendant ~~((for sufficient time to allow the designated crisis responder to evaluate the defendant and consider initial detention proceedings under chapter 71.05 RCW))~~ pursuant to subsection (5) of this section, unless the prosecutor objects to the dismissal and provides notice of a motion for an order for competency restoration treatment, in which case the court shall schedule a hearing within seven days.

(b) At the hearing, the prosecuting attorney must establish that there is a compelling state interest to order competency restoration treatment for the defendant. The court may consider prior criminal history, prior history in treatment, prior history of violence, the quality and severity of the pending charges, any history that suggests whether competency restoration treatment is likely to be successful, in addition to the factors listed under RCW 10.77.092. If the prosecuting attorney proves by a preponderance of the evidence that there is a compelling state interest in ordering competency restoration treatment, then the court shall issue an order in accordance with subsection (2) of this section. If the defendant is subject to an order under chapter 71.05 RCW or proceedings under chapter 71.05 RCW have been initiated, there is a rebuttable presumption that the state's compelling interest has been satisfied. If the defendant is charged with a serious traffic offense under RCW 9.94A.030, the court may order the clerk to transmit an order to the department of licensing for revocation of the defendant's driver's license for a period of one year. The court shall direct the clerk to transmit an order to the department of licensing reinstating the defendant's driver's license if the defendant is subsequently restored to competency, and may do so at any time before the end of one year for good cause upon the petition of the defendant.

(2)(a) If a court finds pursuant to subsection (1)(b) of this section that there is a compelling state interest in pursuing competency restoration treatment, the court shall ~~((commit the defendant to the custody of the secretary for inpatient competency restoration, or may alternatively))~~ order the defendant to receive outpatient competency restoration ~~((based on a recommendation from a forensic navigator and input from the parties))~~ consistent with the recommendation of the forensic navigator, unless the court finds that an order for outpatient competency restoration is inappropriate considering the health and safety of the defendant and risks to public safety.

~~((a))~~ (b) To be eligible for an order for outpatient competency restoration, a defendant must be ~~((clinically appropriate and be))~~ willing to:

(i) Adhere to medications or receive prescribed intramuscular medication;

(ii) Abstain from alcohol and unprescribed drugs; and

(iii) Comply with urinalysis or breathalyzer monitoring if

needed.

~~((b))~~ (c) If the court orders inpatient competency restoration, the department shall place the defendant in an appropriate facility of the department for competency restoration under subsection (3) of this section.

~~((c))~~ (d) If the court orders outpatient competency restoration, the court shall modify conditions of release as needed to authorize the department to place the person in approved housing, which may include access to supported housing, affiliated with a contracted outpatient competency restoration program. The department, in conjunction with the health care authority, must establish rules for conditions of participation in the outpatient competency restoration program, which must include the defendant being subject to medication management. The court may order regular urinalysis testing. The outpatient competency restoration program shall monitor the defendant during the defendant's placement in the program and report any noncompliance or significant changes with respect to the defendant to the department and, if applicable, the forensic navigator.

~~((d))~~ (e) If a defendant fails to comply with the restrictions of the outpatient competency restoration program such that restoration is no longer appropriate in that setting or the defendant is no longer clinically appropriate for outpatient competency restoration, the director of the outpatient competency restoration program shall notify the authority and the department of the need to terminate the outpatient competency restoration placement and intent to request placement for the defendant in an appropriate facility of the department for inpatient competency restoration. The outpatient competency restoration program shall coordinate with the authority, the department, and any law enforcement personnel under ~~((d))~~ (e)(i) of this subsection to ensure that the time period between termination and admission into the inpatient facility is as minimal as possible. The time period for inpatient competency restoration shall be reduced by the time period spent in active treatment within the outpatient competency restoration program, excluding time periods in which the defendant was absent from the program and all time from notice of termination of the outpatient competency restoration period through the defendant's admission to the facility. The department shall obtain a placement for the defendant within seven days of the notice of intent to terminate the outpatient competency restoration placement.

(i) The department may authorize a peace officer to detain the defendant into emergency custody for transport to the designated inpatient competency restoration facility. If medical clearance is required by the designated competency restoration facility before admission, the peace officer must transport the defendant to a crisis stabilization unit, evaluation and treatment facility, emergency department of a local hospital, or triage facility for medical clearance once a bed is available at the designated inpatient competency restoration facility. The signed outpatient competency restoration order of the court shall serve as authority for the detention of the defendant under this subsection. This subsection does not preclude voluntary transportation of the defendant to a facility for inpatient competency restoration or for medical clearance, or authorize admission of the defendant into jail.

(ii) The department shall notify the court and parties of the defendant's admission for inpatient competency restoration before the close of the next judicial day. The court shall schedule a hearing within five days to review the conditions of release of the defendant and anticipated release from treatment and issue appropriate orders.

~~((e))~~ (f) The court may not issue an order for outpatient competency restoration unless the department certifies that there



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is an available appropriate outpatient restoration program that has adequate space for the person at the time the order is issued or the court places the defendant under the guidance and control of a professional person identified in the court order.

(g) If the court does not order the defendant to receive outpatient competency restoration under (a) of this subsection, the court shall commit the defendant to the department for placement in a facility operated or contracted by the department for inpatient competency restoration.

(3) The placement under subsection (2) of this section shall not exceed 29 days if the defendant is ordered to receive inpatient competency restoration, and shall not exceed 90 days if the defendant is ordered to receive outpatient competency restoration. The court may order any combination of this subsection, but the total period of inpatient competency restoration may not exceed 29 days.

(4) If the court has determined or the parties agree that the defendant is unlikely to regain competency, the court may dismiss the charges without prejudice without ordering the defendant to undergo competency restoration treatment, in which case the court shall order that the defendant be referred for evaluation for civil commitment in the manner provided in subsection (5) of this section.

(5)(a) If the proceedings are dismissed under RCW 10.77.084 and the defendant was on conditional release at the time of dismissal, the court shall order the designated crisis responder within that county to evaluate the defendant pursuant to chapter 71.05 RCW. The evaluation may be conducted in any location chosen by the professional.

(b) If the defendant was in custody and not on conditional release at the time of dismissal, the defendant shall be detained and sent to an evaluation and treatment facility for up to 120 hours if the defendant has not undergone competency restoration services or has engaged in outpatient competency restoration services and up to 72 hours if the defendant engaged in inpatient competency restoration services, excluding Saturdays, Sundays, and holidays, for evaluation for purposes of filing a petition under chapter 71.05 RCW. The 120-hour or 72-hour period shall commence upon the next nonholiday weekday following the court order and shall run to the end of the last nonholiday weekday within the 120-hour or 72-hour period.

(6) If the defendant is charged with a nonfelony crime that is not a serious offense as defined in RCW 10.77.092 and found by the court to be not competent, the court may stay or dismiss proceedings and detain the defendant for sufficient time to allow the designated crisis responder to evaluate the defendant and consider initial detention proceedings under chapter 71.05 RCW. The court must give notice to all parties at least 24 hours before the dismissal of any proceeding under this subsection, and provide an opportunity for a hearing on whether to dismiss the proceedings.

(7) If at any time the court dismisses charges under subsections (1) through (6) of this section, the court shall make a finding as to whether the defendant has a history of one or more violent acts. If the court so finds, the defendant is barred from the possession of firearms until a court restores his or her right to possess a firearm under RCW 9.41.047. The court shall state to the defendant and provide written notice that the defendant is barred from the possession of firearms and that the prohibition remains in effect until a court restores his or her right to possess a firearm under RCW 9.41.047.

(8) Any period of competency restoration treatment under this section includes only the time the defendant is actually at the facility or is actively participating in an outpatient competency restoration program and is in addition to reasonable time for

transport to or from the facility.

NEW SECTION. Sec. 9. A new section is added to chapter 10.77 RCW to read as follows:

(1) In counties with a forensic navigator program, a forensic navigator shall:

(a) Meet, interview, and observe all defendants charged with a nonfelony who have had two or more competency evaluations in the preceding 24 months on separate charges or cause numbers and determine the defendants' willingness to engage with services under this section; and

(b) Provide a diversion program plan to the parties in each case that includes a recommendation for a diversion program to defense counsel and the prosecuting attorney. Services under a diversion program may include a referral for assisted outpatient treatment under chapter 71.05 RCW.

(2) If the parties agree on the diversion program recommended by the forensic navigator, the prosecutor shall request dismissal of the criminal charges.

(3) If the parties do not agree on the diversion program, the defense may move the court for an order dismissing the criminal charges without prejudice and referring the defendant to the services described in the diversion program. The court shall hold a hearing on this motion within 10 days. The court shall grant the defense motion if it finds by a preponderance of the evidence that the defendant is amenable to the services described in the diversion program and can safely receive services in the community.

(4) Individuals who receive a dismissal of charges and referral to services described in a diversion program shall have a forensic navigator assigned to assist them for up to six months while engaging in the services described in the diversion program. The forensic navigator shall provide monthly status updates to the court and the parties regarding the individual's status in the diversion program.

**Sec. 10.** RCW 10.77.092 and 2014 c 10 s 2 are each amended to read as follows:

(1) For purposes of determining whether a court may authorize involuntary medication for the purpose of competency restoration pursuant to RCW 10.77.084 and for maintaining the level of restoration in the jail following the restoration period, a pending charge involving any one or more of the following crimes is a serious offense per se in the context of competency restoration:

(a) Any violent offense, sex offense, serious traffic offense, and most serious offense, as those terms are defined in RCW 9.94A.030;

(b) Any offense, except nonfelony counterfeiting offenses, included in crimes against persons in RCW 9.94A.411;

(c) Any offense contained in chapter 9.41 RCW (firearms and dangerous weapons);

(d) Any offense listed as domestic violence in RCW 10.99.020;

(e) Any offense listed as a harassment offense in chapter 9A.46 RCW, except for criminal trespass in the first or second degree;

(f) Any violation of chapter 69.50 RCW that is a class B felony; or

(g) Any city or county ordinance or statute that is equivalent to an offense referenced in this subsection.

(2)(a) In a particular case, a court may determine that a pending charge not otherwise defined as serious by state or federal law or by a city or county ordinance is, nevertheless, a serious offense within the context of competency restoration treatment when the conduct in the charged offense falls within the standards established in (b) of this subsection.

(b) To determine that the particular case is a serious offense within the context of competency restoration, the court must consider the following factors and determine that one or more of

the following factors creates a situation in which the offense is serious:

- (i) The charge includes an allegation that the defendant actually inflicted bodily or emotional harm on another person or that the defendant created a reasonable apprehension of bodily or emotional harm to another;
- (ii) The extent of the impact of the alleged offense on the basic human need for security of the citizens within the jurisdiction;
- (iii) The number and nature of related charges pending against the defendant;
- (iv) The length of potential confinement if the defendant is convicted; and
- (v) The number of potential and actual victims or persons impacted by the defendant's alleged acts.

**NEW SECTION. Sec. 11.** A new section is added to chapter 10.77 RCW to read as follows:

(1) When an individual has a prescription for an antipsychotic, antidepressant, antiepileptic, or other drug prescribed to the individual to treat a serious mental illness by a state hospital or other state facility or a behavioral health agency or other certified medical provider, and the individual is medically stable on the drug, a jail or juvenile detention facility shall continue prescribing the prescribed drug and may not require the substitution of a different drug in a given therapeutic class, except under the following circumstances:

(a) The substitution is for a generic version of a name brand drug and the generic version is chemically identical to the name brand drug; or

(b) The drug cannot be prescribed for reasons of drug recall or removal from the market, or medical evidence indicating no therapeutic effect of the drug.

(2) This section includes but is not limited to situations in which the individual returns to a jail or juvenile detention facility directly after undergoing treatment at a state hospital, behavioral health agency, outpatient competency restoration program, or prison.

**NEW SECTION. Sec. 12.** A new section is added to chapter 10.77 RCW to read as follows:

(1) Subject to the availability of funds appropriated for this specific purpose, the department shall develop a program for individuals who have been involved with the criminal justice system and who have been found under RCW 10.77.084 as incompetent to stand trial due to an intellectual or developmental disability or dementia. The program must involve wraparound services and housing supports appropriate to the needs of the individual. It is sufficient to meet the criteria for participation in this program if the individual has recently been the subject of criminal charges that were dismissed without prejudice and was found incompetent to stand trial due to an intellectual or developmental disability or dementia.

(2) In the event that a court orders the commitment of an individual to the custody of the department under RCW 10.77.086(5) who was found incompetent to stand trial due to an intellectual or developmental disability or dementia, the department shall place the individual in the program either directly from the jail or as soon thereafter as may be practicable, without maintaining the individual at an inpatient facility for longer than is clinically necessary. Nothing in this subsection prohibits the department from returning the individual to their home or to another less restrictive setting if such placement is appropriate, which may include provision of supportive services to help the person maintain stability.

**NEW SECTION. Sec. 13.** Subject to the availability of funds appropriated for this specific purpose, the health care authority shall require the programs it contracts with to increase compensation for staff in outpatient competency restoration

programs to provide compensation at competitive levels to improve recruitment and allow for the full implementation of outpatient competency restoration programs.

**NEW SECTION. Sec. 14.** A new section is added to chapter 10.77 RCW to read as follows:

An outpatient competency restoration program must include access to a prescriber.

**NEW SECTION. Sec. 15.** A new section is added to chapter 10.77 RCW to read as follows:

Jails shall allow clinical intervention specialists to have access to individuals who are referred to receive services under this chapter and to all records relating to the health or conduct of the individual while incarcerated. Clinical intervention specialists shall support jail health services in providing direct services, enhanced oversight and monitoring of the behavioral health status of participating individuals. Clinical intervention specialists shall work collaboratively with jail health services to ensure appropriate prescriptions, medication compliance monitoring, and access to supportive behavioral health services to the individuals. Clinical intervention specialists shall coordinate with forensic navigators and the department to assist forensic navigators in making recommendations for appropriate placements, which may include recommendations for participation in an outpatient competency restoration program or a diversion program designed for the needs of the individual. The clinical intervention specialist shall notify the department if a participating individual appears to have stabilized in their behavioral health such that a new competency evaluation is appropriate to reassess the individual's need for competency restoration treatment.

**NEW SECTION. Sec. 16.** A new section is added to chapter 10.77 RCW to read as follows:

The department shall collect data so that information can be retrieved based on unique individuals, their complete Washington criminal history and referrals for forensic services.

**NEW SECTION. Sec. 17.** A new section is added to chapter 10.77 RCW to read as follows:

(1) The department shall coordinate with cities, counties, hospitals, and other public and private entities to identify locations that may be commissioned or renovated for use in treating clients committed to the department for competency evaluation, competency restoration, civil conversion, or treatment following acquittal by reason of insanity.

(2) The department may provide capital grants to entities to accomplish the purposes described in subsection (1) of this section subject to provision of funding provided for this specific purpose.

**NEW SECTION. Sec. 18.** Sections 6 through 8 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately."

On page 1, line 5 of the title, after "agreement;" strike the remainder of the title and insert "amending RCW 10.77.060, 10.77.068, 10.77.074, 10.77.084, 10.77.086, 10.77.088, and 10.77.092; reenacting and amending RCW 10.77.010; adding new sections to chapter 10.77 RCW; creating new sections; and declaring an emergency."

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

The President declared the question before the Senate to be the adoption of striking floor amendment no. 0139 by Senator Dhingra to Second Substitute Senate Bill No. 5440.

The motion by Senator Dhingra carried and striking floor amendment no. 0139 was adopted by voice vote.

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On motion of Senator Dhingra, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5440 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5440.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5440 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

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

Voting nay: Senators Boehnke, Fortunato, MacEwen, McCune and Short

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5440, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

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

Concerning assisted outpatient treatment.

The measure was read the second time.

MOTION

Senator Dhingra moved that the following floor amendment no. 0028 by Senator Dhingra be adopted:

On page 3, line 4, after "18 months" insert ", unless the person is currently detained for inpatient treatment for 14 days or more under RCW 71.05.240 or 71.05.320, in which case the order may be effective for 90 days if the person is currently detained for 14 days of treatment, or 180 days if the person is currently detained for 90 or 180 days of treatment"

On page 5, beginning on line 20, strike all of subsection (10)

On page 41, line 25, after "18 months" insert ", unless the adolescent is currently detained for inpatient treatment for 14 days or more under RCW 71.34.740 or 71.34.750, in which case the order may be effective for 180 days"

On page 44, beginning on line 4, strike all of subsection (10)

Senator Dhingra spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0028 by Senator Dhingra on page 3, line 4 to Senate Bill No. 5130.

The motion by Senator Dhingra carried and floor amendment no. 0028 was adopted by voice vote.

MOTION

On motion of Senator Frame, the rules were suspended, Engrossed Senate Bill No. 5130 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Frame 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. 5130.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5130 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

ENGROSSED SENATE BILL NO. 5130, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5502, by Senators Gildon, Boehnke, Torres, Wilson, J. and Wilson, L.

Ensuring access to substance use disorder treatment.

MOTIONS

On motion of Senator Gildon, Second Substitute Senate Bill No. 5502 was substituted for Senate Bill No. 5502 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Gildon, the rules were suspended, Second Substitute Senate Bill No. 5502 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 Second Substitute Senate Bill No. 5502.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5502 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

SECOND SUBSTITUTE SENATE BILL NO. 5502, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5711, by Senators Nobles, Liias, Frame, Hasegawa, Hunt, Lovelett, Nguyen, Pedersen, Saldaña, Shewmake, Valdez and Wilson, C.

Extending the terms of eligibility for the Washington college grant program.

The measure was read the second time.

#### MOTION

On motion of Senator Nobles, the rules were suspended, Senate Bill No. 5711 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nobles and Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5711.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5711 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

Voting nay: Senator Braun

SENATE BILL NO. 5711, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5238, by Senators Saldaña, Randall, Conway, Frame, Hasegawa, Hunt, Keiser, Kuderer, Lovelett, Nguyen, Nobles, Shewmake, Stanford, Valdez and Wilson, C.

Expanding collective bargaining for employees who are enrolled in academic programs at public institutions of higher education.

#### MOTIONS

On motion of Senator Saldaña, Substitute Senate Bill No. 5238 was substituted for Senate Bill No. 5238 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Saldaña, the rules were suspended, Substitute Senate Bill No. 5238 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 Substitute Senate Bill No. 5238.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5238 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 15; Absent, 0; Excused, 0.

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

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, McCune, Muzzall, Padden, Schoesler, Short, Torres, Wagoner, Warnick and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5238, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5726, by Senator King

Concerning the prevailing wages and sick leave benefits for construction workers.

#### MOTIONS

On motion of Senator King, Substitute Senate Bill No. 5726 was substituted for Senate Bill No. 5726 and the substitute bill was placed on the second reading and read the second time. Revised for 1st Substitute: Concerning the prevailing wages on public works.

Senator King moved that the following floor amendment no. 141 by Senator King be adopted:

On page 2, beginning on line 9, after "of" strike all material through "owed." on line 23 and insert "workers, laborers, or mechanics in the same trade or occupation under the collective bargaining agreements. In the event there is not a majority of workers, laborers, or mechanics in the same trade or occupation paid at the same rate, then the rate representing the most workers, laborers, or mechanics in the same trade or occupation shall prevail. The industrial statistician shall consider the applicable collective bargaining agreements and may seek input from the labor and management signatory parties and their multiemployer bargaining unit representatives, if applicable, regarding which rate is the majority rate, or the rate representing the most workers, laborers, or mechanics in the same trade or occupation in the event there is no majority. In no case where there is a collective bargaining agreement within a county, shall the industrial statistician conduct wage surveys or otherwise apply hours worked data to set the prevailing rate of wage, except that it may apply hours worked data to resolve an appeal under (b) of this subsection.

(b) An interested party may appeal a determination by the industrial statistician under this subsection. The interested party must allege and prove by competent evidence that the actual rate used in the determination is not the rate representing the majority

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number or plurality of workers, laborers, or mechanics in the same trade or occupation under the collective bargaining agreements. Until final determination thereof, the work in question shall proceed under the rate established by the industrial statistician."

On page 3, line 22, after "(3)" strike "Cost" and insert "Until December 31, 2029, cost"

On page 3, line 25, after "increase to" strike "request" and insert "require"

On page 3, line 26, after "contract" insert "for the following scopes of work established pursuant to this chapter:

- (a) Carpenters;
- (b) Cement masons;
- (c) Laborers;
- (d) Power equipment operators; and
- (e) Teamsters"

On page 3, beginning on line 27, after "(4)" strike all material through "39.04.155" on line 29 and insert "Nothing in subsection (2) of this section shall supersede the wage adjustment provisions provided for in RCW 39.04.155, 35.22.620(11)(e), 53.08.120(3)(e), 39.10.380(1), 35.23.352(13), 36.32.235(9), 39.04.235, 54.04.070(7), 39.10.420, 39.10.340, 39.10.300, and 57.08.050(6)"

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

The President declared the question before the Senate to be the adoption of floor amendment no. 141 by Senator King on page 2, line 9 to Substitute Senate Bill No. 5726.

The motion by Senator King carried and floor amendment no. 141 was adopted by voice vote.

MOTION

On motion of Senator King, the rules were suspended, Engrossed Substitute Senate Bill No. 5726 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 Engrossed Substitute Senate Bill No. 5726.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5726 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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, Warmick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5726, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5702, by Senators Trudeau, Nobles,

Dhingra, Hunt, Lias, Lovelett, Nguyen, Pedersen, Saldaña, Valdez and Wilson, C.

Expanding the students experiencing homelessness and foster youth pilot program.

MOTIONS

On motion of Senator Trudeau, Substitute Senate Bill No. 5702 was substituted for Senate Bill No. 5702 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Randall moved that the following floor amendment no. 0130 by Senator Randall be adopted:

On page 1, line 15, after "colleges" insert "participating in the program"

On page 2, line 16, after "(4)" insert "Subject to the availability of amounts appropriated for this specific purpose, the college board shall administer a grant program to provide grants to establish partnerships between community and technical colleges and public housing authorities or nonprofit community organizations to design and administer a subsidized housing or housing voucher program for Washington college grant eligible students. For the initial round of grants, priority must be given to colleges and public housing authorities or nonprofit community organizations that have previous experience partnering to administer a housing voucher or subsidized housing program."

(5)"

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

On page 2, line 17, after "colleges" insert "participating in the program"

On page 2, line 30, after "(c)" insert "If participating in the grant program under subsection (4) of this section:"

(i) The design of the housing voucher or subsidized housing program;

(ii) The number of students served;

(iii) The types of housing offered to students; and

(iv) The average out-of-pocket cost for housing for students in the grant program.

(d)"

Reletter the remaining subsection consecutively and correct any internal references accordingly.

Senators Randall and Holy spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0130 by Senator Randall on page 1, line 15 to Substitute Senate Bill No. 5702.

The motion by Senator Randall carried and floor amendment no. 0130 was adopted by voice vote.

MOTION

On motion of Senator Trudeau, the rules were suspended, Engrossed Substitute Senate Bill No. 5702 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the

final passage of Engrossed Substitute Senate Bill No. 5702.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5702 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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, 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 Padden, Schoesler and Wagoner

ENGROSSED SUBSTITUTE SENATE BILL NO. 5702, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5687, by Senator Van De Wege

Creating postsecondary wrestling grant programs.

#### MOTIONS

On motion of Senator Van De Wege, Substitute Senate Bill No. 5687 was substituted for Senate Bill No. 5687 and the substitute bill was placed on the second reading and read the second time. Revised for 1st Substitute: Creating and supporting postsecondary wrestling grant programs.

On motion of Senator Van De Wege, the rules were suspended, Substitute Senate Bill No. 5687 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege, Holy and Wagoner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5687.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5687 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

SUBSTITUTE SENATE BILL NO. 5687, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5078, by Senators Pedersen, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Lias, Nguyen, Nobles, Rolfes, Saldaña, Stanford, Trudeau, Valdez and Wellman

Protecting public safety by establishing duties of firearm industry members.

#### MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 5078 was substituted for Senate Bill No. 5078 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Fortunato moved that the following floor amendment no. 0148 by Senator Fortunato be adopted:

Beginning on page 1, line 13, strike all of section 1 and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that the firearms industry supports environmental and conservation issues important to all Washingtonians. In 2021, the firearms industry produced an economic output of over \$1.3 million for the state of Washington and employed over 8,000 people. The legislature finds the likely outcome of this act is to eliminate that output and cause those jobs to leave this state for another state. By characterizing the firearms product industry as a public nuisance and exposing the industry to suit by the attorney general for any wrongdoing that could possibly result from potential misuse of a firearm and any accessories, the economic value of the industry becomes compromised. This creates a situation where 8,000 people will potentially experience unemployment. The legislature finds that firearms industry members will be prevented from producing a lawful product that can be used in an irresponsible, dangerous, and unlawful way. By declaring the production of a lawful product to be a public nuisance, the industry is forced to take on the liability of criminals and individuals who operate with a complete disrespect for the rule of law. In spite of protections that the legislature has instituted, unlawful trafficking of firearms persists and criminals continue to illegally and unlawfully use these products in a harmful way. Much like holding the makers of certain chemicals liable for a drug epidemic, holding a manufacturer and lawful distributor liable for a third party's misuse and unlawful use of a product is a dangerous extension of an important tool. Because of vagueness in the elements of the law, and a lack of specific, concrete direction for firearms industry members regarding the meaning of reasonable procedures and controls, this act exposes the entire industry to open ended, irreparable, and costly harm through an unprecedented and unsupportable extension of public nuisance law. The legislature finds that the purpose of this act is to prevent the sale of lawful firearms to citizens of Washington state under the guise of promoting public safety."

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0148 by Senator Fortunato on page 1, line 13 to Substitute Senate Bill No. 5078.

The motion by Senator Fortunato did not carry and floor amendment no. 0148 was not adopted by voice vote.

#### MOTION

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Senator Fortunato moved that the following floor amendment no. 0146 by Senator Fortunato be adopted:

On page 3, beginning on line 36, after "fired" strike all material through "(1)(e)" on line 40

Senators Fortunato, Wilson, L., and McCune spoke in favor of adoption of the amendment.

Senator Pedersen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0146 by Senator Fortunato on page 3, line 36 to Substitute Senate Bill No. 5078.

The motion by Senator Fortunato did not carry and floor amendment no. 0146 was not adopted by voice vote.

MOTION

Senator Padden moved that the following striking floor amendment no. 0143 by Senator Padden be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 7.48 RCW to read as follows:

(1) By December 1, 2024, the attorney general shall complete a study of the insurance impacts to firearm industry members, meaning entities engaged in the wholesale or retail sale, manufacturing, distribution, importing, or marketing of firearms or related products, if any or all of the following become law:

(a) A requirement that firearm industry members not knowingly create, maintain, or contribute to a public nuisance in this state through the sale, manufacturing, distribution, importing, or marketing of firearms or related products;

(b) A requirement that firearm industry members establish, implement, and enforce reasonable controls regarding the manufacture, sale, distribution, importing, use, and marketing of firearm industry products; or

(c) A requirement that firearm industry members not manufacture, distribute, import, market, offer for wholesale, or offer for retail sale firearms or related products that are:

(i) Designed, sold, or marketed in a manner that foreseeably promotes conversion of legal firearms or related products into illegal firearms or related products; or

(ii) Designed, sold, or marketed in a manner that is targeted at minors or individuals who are legally prohibited from possessing or purchasing firearms.

(2) On or before December 1, 2024, the attorney general shall submit the findings of the study to the appropriate committees of the legislature and shall publish the findings on the attorney general's website."

On page 1, line 10 of the title, after "general;" strike the remainder of the title and insert "and adding a new section to chapter 7.48 RCW."

Senators Padden, McCune and Wilson, L. spoke in favor of adoption of the striking amendment.

Senator Pedersen spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 0143 by Senator Padden to Substitute Senate Bill No. 5078.

The motion by Senator Padden did not carry and striking floor amendment no. 0143 was not adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5078 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senators Muzzall, Wagoner, Fortunato, MacEwen, Padden, Wilson, J. and McCune spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5078.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5078 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

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, Shewmake, Stanford, Trudeau, Valdez, Wellman and Wilson, C.

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

SUBSTITUTE SENATE BILL NO. 5078, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5518, by Senators Boehnke, Stanford, MacEwen, Muzzall, Fortunato, Frame, Kuderer, Valdez, Warnick and Wellman

Concerning the protection of critical constituent and state operational data against the financial and personal harm caused by ransomware and other malicious cyber activities.

MOTIONS

On motion of Senator Boehnke, Second Substitute Senate Bill No. 5518 was substituted for Senate Bill No. 5518 and the substitute bill was placed on the second reading and read the second time. Revised for 2nd Substitute: Concerning cybersecurity.

On motion of Senator Boehnke, the rules were suspended, Second Substitute Senate Bill No. 5518 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Boehnke and Nguyen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5518.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5518 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

SECOND SUBSTITUTE SENATE BILL NO. 5518, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5424, by Senators Lovick, Holy, Dhingra, Frame, Keiser, Kuderer, Shewmake, Stanford, Valdez, Warnick and Wellman

Concerning flexible work for general and limited authority Washington peace officers.

#### MOTIONS

On motion of Senator Lovelett, Substitute Senate Bill No. 5424 was substituted for Senate Bill No. 5424 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Lovick, the rules were suspended, Substitute Senate Bill No. 5424 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovick, 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. 5424.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5424 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

SUBSTITUTE SENATE BILL NO. 5424, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5569, by Senators Rivers and Dozier

Creating temporary exemptions from certificate of need requirements for kidney disease centers. Revised for 1st Substitute: Creating exemptions from certificate of need requirements for kidney disease centers.

#### MOTIONS

On motion of Senator Rivers, Substitute Senate Bill No. 5569 was substituted for Senate Bill No. 5569 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rivers, the rules were suspended, Substitute Senate Bill No. 5569 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers, Cleveland and Dozier 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. 5569.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5569 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

SUBSTITUTE SENATE BILL NO. 5569, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5367, by Senators Robinson, Schoesler, Conway, Dozier, Keiser, Saldaña and Wellman

Concerning the regulation of products containing THC.

#### MOTION

On motion of Senator Robinson, Second Substitute Senate Bill No. 5367 was substituted for Senate Bill No. 5367 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Rivers moved that the following floor amendment no. 0147 by Senators Rivers, Keiser and King be adopted:

On page 2, beginning on line 6, after "(8)" strike all material through "(9)" on line 14

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

On page 4, beginning on line 3, after "with" strike all material through "product" on line 5 and insert "any amount of THC"

On page 4, beginning on line 8, after "include" strike all material through "15.140.020" on line 11 and insert "cannabis health and beauty aids as defined in RCW 69.50.575"

On page 10, line 37, after "chapter:" insert "and"

Beginning on page 10, line 38, after "(b)" strike all material through "(c)" on page 11, line 1



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On page 13, after line 7, strike all of section 6  
 Renumber the remaining section consecutively and correct any internal references accordingly.

On page 1, at the beginning of line 4 of the title, strike "adding a new section to chapter 69.07 RCW;"

Senators Rivers, Robinson, Keiser and King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0147 by Senators Rivers, Keiser and King on page 2, line 6 to Second Substitute Senate Bill No. 5367.

The motion by Senator Rivers carried and floor amendment no. 0147 was adopted by voice vote.

MOTION

On motion of Senator Robinson, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5367 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Robinson 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. 5367.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5367 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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, Warmick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5367, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5309, by Senators Lovelett, Rolfes, Hasegawa, Hunt, Keiser, Nguyen and Nobles

Eliminating the state public utility tax deduction for the instate portion of interstate transport of petroleum products and crude oil.

The measure was read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Lovelett and without objection, striking floor amendment no. 0137 by Senator Lovelett to Senate Bill No. 5309 was withdrawn.

MOTION

Senator Lovelett moved that the following striking floor

amendment no. 0151 by Senator Lovelett be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 82.16.010 and 2015 3rd sp.s. c 6 s 702 are each amended to read as follows:

For the purposes of this chapter, unless otherwise required by the context:

(1) "Crude oil" has the same meaning as provided in RCW 82.23B.010.

(2) "Express business" means the business of carrying property for public hire on the line of any common carrier operated in this state, when such common carrier is not owned or leased by the person engaging in such business.

~~((2))~~ (3) "Gas distribution business" means the business of operating a plant or system for the production or distribution for hire or sale of gas, whether manufactured or natural.

~~((3))~~ (4) "Gross income" means the value proceeding or accruing from the performance of the particular public service or transportation business involved, including operations incidental thereto, but without any deduction on account of the cost of the commodity furnished or sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses.

~~((4))~~ (5) "Light and power business" means the business of operating a plant or system for the generation, production or distribution of electrical energy for hire or sale and/or for the wheeling of electricity for others.

~~((5))~~ (6) "Log transportation business" means the business of transporting logs by truck, except when such transportation meets the definition of urban transportation business or occurs exclusively upon private roads.

~~((6))~~ (7) "Motor transportation business" means the business (except urban transportation business) of operating any motor propelled vehicle by which persons or property of others are conveyed for hire, and includes, but is not limited to, the operation of any motor propelled vehicle as an auto transportation company (except urban transportation business), common carrier, or contract carrier as defined by RCW 81.68.010 and 81.80.010. However, "motor transportation business" does not mean or include: (a) A log transportation business; or (b) the transportation of logs or other forest products exclusively upon private roads or private highways.

~~((7))~~ (8) "Packaged for sale to ultimate consumers" means petroleum products that are prepared and packaged for sale at usual and ordinary retail outlets. The term includes containerized motor oil, lubricants, and aerosol solvents.

(9) "Petroleum products" has the same meaning as provided in RCW 82.21.020.

(10)(a) "Public service business" means any of the businesses defined in subsections ~~((1)),~~ (2), ~~((4), (6))~~ (3), (5), (7), ~~((8), (9), (10))~~ (11), (12), (13), (15), and ~~((13))~~ (16) of this section or any business subject to control by the state, or having the powers of eminent domain and the duties incident thereto, or any business hereafter declared by the legislature to be of a public service nature, except telephone business and low-level radioactive waste site operating companies as redefined in RCW 81.04.010. It includes, among others, without limiting the scope hereof: Airplane transportation, boom, dock, ferry, pipe line, toll bridge, toll logging road, water transportation and wharf businesses.

(b) The definitions in this subsection ~~((7))~~ (10)(b) apply throughout this subsection ~~((7))~~ (10).

(i) "Competitive telephone service" has the same meaning as in

RCW 82.04.065.

(ii) "Network telephone service" means the providing by any person of access to a telephone network, telephone network switching service, toll service, or coin telephone services, or the providing of telephonic, video, data, or similar communication or transmission for hire, via a telephone network, toll line or channel, cable, microwave, or similar communication or transmission system. "Network telephone service" includes the provision of transmission to and from the site of an internet provider via a telephone network, toll line or channel, cable, microwave, or similar communication or transmission system. "Network telephone service" does not include the providing of competitive telephone service, the providing of cable television service, the providing of broadcast services by radio or television stations, nor the provision of internet access as defined in RCW 82.04.297, including the reception of dial-in connection, provided at the site of the internet service provider.

(iii) "Telephone business" means the business of providing network telephone service. It includes cooperative or farmer line telephone companies or associations operating an exchange.

(iv) "Telephone service" means competitive telephone service or network telephone service, or both, as defined in (b)(i) and (ii) of this subsection.

~~((8))~~ (11) "Railroad business" means the business of operating any railroad, by whatever power operated, for public use in the conveyance of persons or property for hire. It shall not, however, include any business herein defined as an urban transportation business.

~~((9))~~ (12) "Railroad car business" means the business of operating stock cars, furniture cars, refrigerator cars, fruit cars, poultry cars, tank cars, sleeping cars, parlor cars, buffet cars, tourist cars, or any other kinds of cars used for transportation of property or persons upon the line of any railroad operated in this state when such railroad is not owned or leased by the person engaging in such business.

~~((40))~~ (13) "Telegraph business" means the business of affording telegraphic communication for hire.

~~((14))~~ (14) "Tugboat business" means the business of operating tugboats, towboats, wharf boats or similar vessels in the towing or pushing of vessels, barges or rafts for hire.

~~((12))~~ (15) "Urban transportation business" means the business of operating any vehicle for public use in the conveyance of persons or property for hire, insofar as (a) operating entirely within the corporate limits of any city or town, or within five miles of the corporate limits thereof, or (b) operating entirely within and between cities and towns whose corporate limits are not more than five miles apart or within five miles of the corporate limits of either thereof. Included herein, but without limiting the scope hereof, is the business of operating passenger vehicles of every type and also the business of operating cartage, pickup, or delivery services, including in such services the collection and distribution of property arriving from or destined to a point within or without the state, whether or not such collection or distribution be made by the person performing a local or interstate line-haul of such property.

~~((13))~~ (16) "Water distribution business" means the business of operating a plant or system for the distribution of water for hire or sale.

~~((14))~~ (17) The meaning attributed, in chapter 82.04 RCW, to the term "tax year," "person," "value proceeding or accruing," "business," "engaging in business," "in this state," "within this state," "cash discount" and "successor" shall apply equally in the provisions of this chapter.

**NEW SECTION. Sec. 2.** A new section is added to chapter 82.16 RCW to read as follows:

(1) RCW 82.16.050 does not apply to amounts derived from

the transportation of either petroleum products or crude oil, or both, which are not packaged for sale to ultimate consumers and such products, crude oil, or both are transported wholly within this state, between states, or between a state and a foreign country.

(2) For the purposes of this section, "state" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

**NEW SECTION. Sec. 3.** A new section is added to chapter 82.16 RCW to read as follows:

(1) Persons engaging both within and without this state in the business of transporting petroleum products, crude oil, or both, must apportion gross income as provided in this section.

(2)(a) Except as otherwise provided in this section, gross income must be apportioned to this state based on the ratio that revenue miles of the person in this state during the tax period bear to the revenue miles of the person everywhere during the tax period.

(b) Gross income includes only the amount for transporting either petroleum products or crude oil, or both, which are not packaged for sale to ultimate consumers and does not include gross income derived from transporting any other property or passengers.

(3) For persons that transport petroleum products or crude oil by pipeline, gross income must be apportioned to this state based on the ratio that the total number of traffic units in this state during the tax period bear to the total number of traffic units everywhere during the tax period.

(4) For purposes of this section, the following definitions apply:

(a) "One unit" means one barrel, as defined in RCW 82.23B.010, one gallon, one net ton, or other appropriate measure of product.

(b) "Revenue mile" means the transportation of one unit of taxable petroleum product or crude oil for the distance of one mile.

(c) "Traffic unit" means the movement of one unit of taxable petroleum product or crude oil for a distance of one mile.

**NEW SECTION. Sec. 4.** This act applies to amounts received on or after October 1, 2023."

On page 1, line 3 of the title, after "oil," strike the remainder of the title and insert "amending RCW 82.16.010; adding new sections to chapter 82.16 RCW; and creating a new section."

Senators Lovelett and MacEwen spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 0151 by Senator Lovelett to Senate Bill No. 5309.

The motion by Senator Lovelett carried and striking floor amendment no. 0151 was adopted by voice vote.

#### MOTION

On motion of Senator Lovelett, the rules were suspended, Engrossed Senate Bill No. 5309 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lovelett and Hasegawa spoke in favor of passage of the bill.

Senator Wilson, L. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5309.

#### ROLL CALL

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The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5309 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 22; Absent, 0; Excused, 0.

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

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

ENGROSSED SENATE BILL NO. 5309, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5165, by Senators Nguyen, Mullet, Boehnke, Frame, Hasegawa, Keiser, Nobles and Stanford

Concerning electric power system transmission planning.

MOTION

On motion of Senator Nguyen, Substitute Senate Bill No. 5165 was substituted for Senate Bill No. 5165 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Short moved that the following floor amendment no. 0136 by Senator Short be adopted:

Beginning on page 7, line 37, after "(1)" strike all material through "(2)" on page 8, line 9

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

Senator Short spoke in favor of adoption of the amendment.

Senator Nguyen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0136 by Senator Short on page 7, line 37 to Substitute Senate Bill No. 5165.

The motion by Senator Short did not carry and floor amendment no. 0136 was not adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Substitute Senate Bill No. 5165 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen and MacEwen 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. 5165.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5165 and the bill passed the Senate by the

following vote: Yeas, 36; Nays, 13; Absent, 0; Excused, 0.

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

Voting nay: Senators Braun, Dozier, Fortunato, Hawkins, King, MacEwen, McCune, Padden, Schoesler, Short, Warnick, Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5165, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5353, by Senators Wagoner, Van De Wege, Dozier, Salomon, Short, Warnick and Wilson, J.

Concerning the voluntary stewardship program.

MOTIONS

On motion of Senator Wagoner, Substitute Senate Bill No. 5353 was substituted for Senate Bill No. 5353 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wagoner, the rules were suspended, Substitute Senate Bill No. 5353 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wagoner, Wilson, J. and Dozier 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. 5353.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5353 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

SUBSTITUTE SENATE BILL NO. 5353, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5150, by Senator Shewmake

Concerning the beef commission's levied assessment.

MOTIONS

On motion of Senator Shewmake, Substitute Senate Bill No. 5150 was substituted for Senate Bill No. 5150 and the substitute bill was placed on the second reading and read the second time. Revised for 1st Substitute: Concerning the beef commission's levied assessment.

#### MOTION

Senator Schoesler moved that the following floor amendment no. 0152 by Senators Schoesler and Van De Wege be adopted:

On page 2, after line 14, insert the following:  
"NEW SECTION. Sec. 2. A new section is added to chapter 16.67 RCW to read as follows:

The commission may fund, conduct, or otherwise participate in scientific research related to beef including, without limitation, to improve production, quality, transportation, processing, distribution, and environmental stewardship."

On page 1, beginning on line 1 of the title, after "Relating to" strike all material through "RCW 16.67.120" on line 2 and insert "the beef commission; amending RCW 16.67.120; and adding a new section to chapter 16.67 RCW"

Senators Schoesler and Van De Wege spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 0152 by Senators Schoesler and Van De Wege on page 2, after line 14 to Substitute Senate Bill No. 5150.

The motion by Senator Schoesler carried and floor amendment no. 0152 was adopted by voice vote.

#### MOTION

On motion of Senator Shewmake, the rules were suspended, Engrossed Substitute Senate Bill No. 5150 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Shewmake spoke in favor of passage of the bill.

Senators Muzzall and Schoesler spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5150.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5150 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 12; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hasegawa, Holy, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, McCune, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Braun, Dozier, Hawkins, King,

MacEwen, Mullet, Muzzall, Padden, Salomon, Schoesler, Short and Wilson, J.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5150, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5439, by Senators Warnick, Dozier, Hasegawa, Lovelett, Salomon, Schoesler and Van De Wege

Concerning livestock identification.

#### MOTIONS

On motion of Senator Warnick, Substitute Senate Bill No. 5439 was substituted for Senate Bill No. 5439 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Warnick, the rules were suspended, Substitute Senate Bill No. 5439 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Warnick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5439.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5439 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, 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.

SUBSTITUTE SENATE BILL NO. 5439, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

At 4:42 p.m., on motion of Senator Pedersen, the Senate adjourned until 9:00 o'clock a.m. Friday, March 3, 2023.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

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1340-SE	Introduction & 1st Reading.....	3
1349	Introduction & 1st Reading.....	3
1377-SE	Introduction & 1st Reading.....	3
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1407	Introduction & 1st Reading.....	3
1419	Introduction & 1st Reading.....	3
1420	Introduction & 1st Reading.....	3
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1435-S	Messages .....	1
1452-S2	Messages .....	1
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1458-S	Introduction & 1st Reading.....	3
1469-SE	Introduction & 1st Reading.....	3
1470-S2	Introduction & 1st Reading.....	3
1499-S	Introduction & 1st Reading.....	3
1501-S	Introduction & 1st Reading.....	4
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1512	Second Reading .....	8
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1521-S	Second Reading .....	8
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1525-S2	Second Reading .....	19
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1540	Introduction & 1st Reading .....	4
1552	Introduction & 1st Reading .....	4
1572-S	Messages .....	1
1584-SE	Messages .....	1
1590-S	Messages .....	1
1624	Introduction & 1st Reading .....	4
1679	Messages .....	1
1681-S2	Messages .....	1
1695	Introduction & 1st Reading .....	4
1732-SE	Messages .....	1
1737	Introduction & 1st Reading .....	4
1758-SE	Introduction & 1st Reading .....	4
1771	Introduction & 1st Reading .....	4
1772	Introduction & 1st Reading .....	4
1775	Introduction & 1st Reading .....	4
1777	Messages .....	1
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5078-S	Second Reading .....	22, 23
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5096	Second Reading .....	8
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5130	Second Reading .....	19
5130-E	Third Reading Final Passage .....	19
5143	Second Reading .....	9
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5143-SE	Third Reading Final Passage .....	9
5150	Second Reading .....	27
5150-S	Second Reading .....	28
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5238	Second Reading .....	20
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5303	Second Reading .....	7
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5309	Other Action.....	25
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5369	Second Reading .....	9		24
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5399	Second Reading .....	8		22
5399-S	Second Reading .....	8	5687-S	Second Reading .....
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5424	Second Reading .....	24		22
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5436	Second Reading .....	6	5702-S	Second Reading .....
5436-S	Second Reading .....	6		21
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5439	Second Reading .....	28		22
5439-S	Second Reading .....	28	5711	Second Reading .....
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5440	Second Reading .....	9		20
5440-S2	Second Reading .....	10	5726	Second Reading .....
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WASHINGTON STATE SENATE			

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