

THIRTY SECOND DAY

MORNING SESSION

Senate Chamber, Olympia
Thursday, February 8, 2024

The Senate was called to order at 10 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 Miss Cecilia Devine and Miss Maya Alm, presented the Colors.

Page Mr. Isaac Zavala led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Tito Lyro, The Bible Presbyterian Church of Olympia.

MOTIONS

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

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

MESSAGE FROM THE HOUSE

February 7, 2024

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1998,
HOUSE BILL NO. 2004,
SUBSTITUTE HOUSE BILL NO. 2045,
SUBSTITUTE HOUSE BILL NO. 2097,
HOUSE BILL NO. 2120,
SUBSTITUTE HOUSE BILL NO. 2335,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

February 7, 2024

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1949,
HOUSE BILL NO. 1958,
HOUSE BILL NO. 1976,
HOUSE BILL NO. 2059,
HOUSE BILL NO. 2074,
SUBSTITUTE HOUSE BILL NO. 2086,
SUBSTITUTE HOUSE BILL NO. 2226,
HOUSE BILL NO. 2371,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 7, 2024

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1510,
and the same is herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

February 6, 2024

MR. PRESIDENT:

The House has passed:

SECOND ENGROSSED SUBSTITUTE

HOUSE BILL NO. 1377,
SECOND ENGROSSED SUBSTITUTE
HOUSE BILL NO. 1508,
SECOND ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1541,

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 OF HOUSE BILLS

HB 1153 by Representatives Peterson, Fitzgibbon, Berry, Walen, Bateman, Goodman, Leavitt, Macri, Gregerson, Stonier, Pollet and Fosse

AN ACT Relating to prohibiting octopus farming; and amending RCW 15.85.020.

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

2ESHB 1377 by House Committee on Education (originally sponsored by Representatives 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 & K-12 Education.

2ESHB 1508 by House Committee on Appropriations (originally sponsored by Representatives Macri, Riccelli, Simmons, Fitzgibbon, Berry, Alvarado, Bateman, Ormsby, Doglio, Reed, Callan, Stonier, Tharinger and Bergquist)

AN ACT Relating to improving consumer affordability through the health care cost transparency board; amending RCW 70.390.020, 70.390.040, 70.390.050, 70.390.070, 43.71C.030, and 70.405.030; adding new sections to chapter 70.390 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

2E2SHB 1541 by House Committee on Appropriations

(originally sponsored by Representatives Farivar, Couture, Mena, Pollet, Taylor, Ortiz-Self, Street, Thai, Reed, Waters, Fosse, Caldier, Simmons, Davis, Alvarado, Schmidt, Ryu, Griffey, Ramel, Barnard, Orwall, Hackney, Bergquist, Walen, Berry, Tharinger, Peterson, Goodman, Volz, Eslick, Stonier, Gregerson, Riccelli, Ormsby, Kloba, Doglio, Bateman, Macri and Duerr)

AN ACT Relating to increasing access and representation in policy-making processes for people with direct lived experience; adding a new chapter to Title 43 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on State Government & Elections.

EHB 1714 by Representatives Stonier, Senn, Callan, Kloba, Santos, Bergquist and Timmons
AN ACT Relating to allowing school districts to apply for financial literacy education professional development grants for three or fewer school years; and amending RCW 28A.300.466.

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

SHB 1800 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Representatives Barkis, Donaghy, Eslick, Fey, Barnard, Robertson, Stokesbary, Chambers, Abbarno, Christian and McClintock)
AN ACT Relating to criminal penalties and restitution for graffiti; amending RCW 9A.20.030; reenacting and amending RCW 9A.04.110; adding a new section to chapter 9A.48 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

HB 1890 by Representatives Alvarado, Klicker, Peterson, Bateman, Connors, Macri, Corry, Barkis, Berry, Morgan, Leavitt, Tharinger, Reed, Ormsby, Barnard, Street, Gregerson, Reeves and Chopp
AN ACT Relating to housing authorities; and amending RCW 35.82.300.

Referred to Committee on Housing.

SHB 1911 by House Committee on Civil Rights & Judiciary (originally sponsored by Representatives Taylor, Cheney, Ortiz-Self, Reed, Simmons, Ormsby, Reeves, Fosse and Davis; by request of Office of Public Defense)
AN ACT Relating to activities in which the office of public defense may engage without violating the prohibition on providing direct representation of clients; reenacting and amending RCW 2.70.020; and adding a new section to chapter 2.70 RCW.

Referred to Committee on Law & Justice.

SHB 1924 by House Committee on Environment & Energy (originally sponsored by Representatives Shavers, Ryu, Barnard, Stearns and Wylie)
AN ACT Relating to promoting the integration of fusion technology within state clean energy policies; amending RCW 43.394.020 and 43.157.010; and adding a new section to chapter 43.21F RCW.

Referred to Committee on Environment, Energy & Technology.

HB 1978 by Representatives Rule, Volz, Ryu, Ramel, Ormsby and Reeves; by request of Military Department

AN ACT Relating to the addition of special purpose and junior taxing districts to the intrastate mutual aid system; and amending RCW 38.56.020.

Referred to Committee on State Government & Elections.

SHB 1979 by House Committee on Health Care & Wellness (originally sponsored by Representatives Paul, Leavitt, Duerr, Reed, Ormsby, Callan, Kloba, Doglio, Fosse, Ortiz-Self, Hackney and Shavers)
AN ACT Relating to reducing the cost of inhalers and epinephrine autoinjectors; and amending RCW 48.43.780.

Referred to Committee on Health & Long-Term Care.

SHB 1985 by House Committee on Appropriations (originally sponsored by Representatives Timmons, Leavitt, Fitzgibbon, Ryu, Ramos, Ramel, Bateman, Ormsby, Jacobsen, Callan, Rule, Kloba, Street, Doglio, Fosse, Paul, Bergquist, Goodman, Ortiz-Self, Lekanoff, Reeves, Nance, Riccelli, Hackney, Pollet and Shavers; by request of Select Committee on Pension Policy)
AN ACT Relating to providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1; and amending RCW 41.32.4992 and 41.40.1987.

Referred to Committee on Ways & Means.

HB 1986 by Representatives Abbarno, Bronoske, Berry, Schmidt, Ramel, Reed, Graham, Timmons, Lekanoff, Reeves, Nance, Riccelli, Wylie and Hackney; by request of Department of Labor & Industries
AN ACT Relating to adding purposes for the use of existing firefighter safety funding; and amending RCW 51.04.175.

Referred to Committee on Labor & Commerce.

SHB 2048 by House Committee on Community Safety, Justice, & Reentry (originally sponsored by Representatives Mosbrucker, Goodman, Graham, Doglio and Davis)
AN ACT Relating to supervision of domestic violence in criminal sentencing; amending RCW 9.94A.501; creating new sections; and providing an expiration date.

Referred to Committee on Law & Justice.

HB 2062 by Representatives Schmidt, Ramos and Cheney; by request of Department of Social and Health Services
AN ACT Relating to exemption of certain personnel of the department of social and health services from civil service; and amending RCW 41.06.076.

Referred to Committee on State Government & Elections.

SHB 2165 by House Committee on Agriculture and Natural Resources (originally sponsored by Representatives Kloba, Waters and Reeves; by request of Department of Natural Resources)
AN ACT Relating to the authority of the department of natural resources to determine recreational use fees for activities on agency-managed public lands; and amending RCW 4.24.210.

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

SHB 2182 by House Committee on Regulated Substances & Gaming (originally sponsored by Representatives Reeves, Cheney, Leavitt, Reed, Callan and Sandlin)

AN ACT Relating to the creation of a data dashboard to track policies, funding, and program and health outcomes related to the sale, consumption, and use of regulated substances; and adding a new section to chapter 66.08 RCW.

Referred to Committee on Labor & Commerce.

HB 2260 by originally sponsored by Representatives Reeves, Cheney, Leavitt, Reed, Callan and Sandlin

AN ACT Relating to establishing civil penalties for the unlawful sale or supply of alcohol to minors; amending RCW 66.44.270; creating a new section; and prescribing penalties.

Referred to Committee on Labor & Commerce.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of House Bill No. 1890 which had been designated to the Committee on Local Government, Land Use & Tribal Affairs and was referred to the Committee on Housing.

On motion of Senator Pedersen, Senate Bill No. 6098 was removed from the Consent calendar and placed on the day's Second Reading calendar.

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

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

SENATE RESOLUTION
8668

By Senators C. Wilson, Kuderer, Lovick, Nobles, Dhingra, Frame, Hansen, Robinson, Billig, Lovelett, Trudeau, Conway, Rivers, Wellman, Pedersen, Warnick, Nguyen, and Hasegawa

WHEREAS, This year former Senator Jeannie Darneille announced her retirement from state service; and

WHEREAS, Former Senator Darneille has dedicated decades of her life to serving the people of Washington State; and

WHEREAS, Former Senator Darneille spent the first years of her career serving as executive director for a number of nonprofit service organizations, including the Pierce County AIDS Foundation and the Emergency Food Network; and

WHEREAS, She was elected to the Washington State House of Representatives representing the 27th Legislative District in the year 2000, where she served five terms with distinction; and

WHEREAS, She was elected to the Senate in 2012 where she served as chair of the Human Services, Rehabilitation, and Reentry Committee; and

Whereas, Throughout her tenure as a Legislator, Jeannie Darneille was a tireless advocate for human services with a consistent focus on serving the most vulnerable and historically excluded members of our communities; and

WHEREAS, Jeannie Darneille has also served with distinction

as the Assistant Secretary of the Women's Division at the Department of Corrections, where she contributed to the integration of gender responsive care in pursuit of safety and rehabilitation; and

WHEREAS, Jeannie Darneille has demonstrated unwavering commitment and leadership in her role as a public servant, tirelessly working towards the betterment of our community and state;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate express its deepest gratitude to former Senator Jeannie Darneille for her exemplary service to the people of the 27th Legislative District and the entire state; and

BE IT FURTHER RESOLVED, That former Senator Darneille is wished a well-deserved and joyful retirement, filled with the recognition of the positive impact she has made throughout her illustrious career; and

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Jeannie Darneille as a token of the immense respect and appreciation this legislative body holds for her.

Senators Wilson, C., Conway, Lovelett, Wellman, Keiser, Trudeau, Braun, Billig, Warnick and Hasegawa spoke in favor of adoption of the resolution.

MOTION

On motion of Senator Nobles, Senators Hunt, Lias, Saldaña and Trudeau were excused.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8668.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students of the Living Hope Homeschool Co-op who were seated in the gallery.

MOTION

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

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Braun moved that Mark C. Scheibmeir, Senate Gubernatorial Appointment No. 9171, be confirmed as a member of the Centralia College Board of Trustees.

Senator Braun spoke in favor of the motion.

MOTION

On motion of Senator Wagoner, Senator Dozier was excused.

APPOINTMENT OF MARK C. SCHEIBMEIR

The President declared the question before the Senate to be the confirmation of Mark C. Scheibmeir, Senate Gubernatorial Appointment No. 9171, as a member of the Centralia College Board of Trustees.

The Secretary called the roll on the confirmation of Mark C.

Scheibmeir, Senate Gubernatorial Appointment No. 9171, as a member of the Centralia College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Liias and Saldaña

Mark C. Scheibmeir, Senate Gubernatorial Appointment No. 9171, having received the constitutional majority was declared confirmed as a member of the Centralia College Board of Trustees.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hansen moved that Cheryl A. Miller, Senate Gubernatorial Appointment No. 9181, be confirmed as a member of the Olympic College Board of Trustees.

Senator Hansen spoke in favor of the motion.

APPOINTMENT OF CHERYL A. MILLER

The President declared the question before the Senate to be the confirmation of Cheryl A. Miller, Senate Gubernatorial Appointment No. 9181, as a member of the Olympic College Board of Trustees.

The Secretary called the roll on the confirmation of Cheryl A. Miller, Senate Gubernatorial Appointment No. 9181, as a member of the Olympic College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Liias and Saldaña

Cheryl A. Miller, Senate Gubernatorial Appointment No. 9181, having received the constitutional majority was declared confirmed as a member of the Olympic College Board of Trustees.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Warnick moved that Gary Chandler, Senate Gubernatorial Appointment No. 9201, be confirmed as a member of the Workforce Training and Coordinating Board.

Senator Warnick spoke in favor of the motion.

APPOINTMENT OF GARY CHANDLER

The President declared the question before the Senate to be the confirmation of Gary Chandler, Senate Gubernatorial Appointment No. 9201, as a member of the Workforce Training and Coordinating Board.

The Secretary called the roll on the confirmation of Gary Chandler, Senate Gubernatorial Appointment No. 9201, as a member of the Workforce Training and Coordinating Board and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Liias and Saldaña

Gary Chandler, Senate Gubernatorial Appointment No. 9201, having received the constitutional majority was declared confirmed as a member of the Workforce Training and Coordinating Board.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Stanford moved that Angela Hinojos, Senate Gubernatorial Appointment No. 9245, be confirmed as a member of the Cascadia College Board of Trustees.

Senator Stanford spoke in favor of the motion.

APPOINTMENT OF ANGELA HINOJOS

The President declared the question before the Senate to be the confirmation of Angela Hinojos, Senate Gubernatorial Appointment No. 9245, as a member of the Cascadia College Board of Trustees.

The Secretary called the roll on the confirmation of Angela Hinojos, Senate Gubernatorial Appointment No. 9245, as a member of the Cascadia College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Liias and Saldaña

Angela Hinojos, Senate Gubernatorial Appointment No. 9245, having received the constitutional majority was declared confirmed as a member of the Cascadia College Board of Trustees.

THIRD READING

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SUBSTITUTE SENATE BILL NO. 5306, by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Short, Van De Wege, Nobles, and Stanford)

Authorizing the department of fish and wildlife to establish disease interdiction and control check stations.

The bill was read on Third Reading.

Senator Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5306.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5306 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Liias and Saldaña

SUBSTITUTE SENATE BILL NO. 5306, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SENATE BILL NO. 5852, by Senators Braun, Mullet, Short, Torres, and Wilson, L.

Concerning special education safety net awards.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Senate Bill No. 5852 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Wellman 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. 5852.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5852 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Liias and Saldaña

SENATE BILL NO. 5852, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5885, by Senator Torres

Concerning procedures for certificates of annexation submitted to the office of financial management.

The measure was read the second time.

MOTION

On motion of Senator Torres, the rules were suspended, Senate Bill No. 5885 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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. 5885.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5885 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Liias and Saldaña

SENATE BILL NO. 5885, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5897, by Senator Mullet and Wilson, L.

Modifying provisions of the business licensing service program.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, Senate Bill No. 5897 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5897.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5897 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Liias and Saldaña

SENATE BILL NO. 5897, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from Hazelwood Elementary School, Newcastle who were seated in the gallery. The students were guests of Senator Wellman.

SECOND READING

SENATE BILL NO. 6080, by Senators Boehnke, Dozier, Mullet, and Shewmake

Simplifying the funding provisions of the statewide tourism marketing account.

The measure was read the second time.

MOTION

On motion of Senator Boehnke, the rules were suspended, Senate Bill No. 6080 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Boehnke 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. 6080.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6080 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Saldaña

SENATE BILL NO. 6080, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6197, by Senators Holy, Conway, Van De Wege, Fortunato, Hasegawa, Kuderer, Mullet, Nobles, and Valdez

Concerning the law enforcement officers' and firefighters' retirement system plan 2.

MOTIONS

On motion of Senator Holy, Substitute Senate Bill No. 6197 was substituted for Senate Bill No. 6197 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6197, by Senate Committee on Ways & Means (originally sponsored by Holy, Conway, Van De Wege, Fortunato, Hasegawa, Kuderer, Mullet, Nobles, and Valdez)

On motion of Senator Holy, the rules were suspended, Substitute Senate Bill No. 6197 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holy and Robinson 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. 6197.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6197 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Saldaña

SUBSTITUTE SENATE BILL NO. 6197, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6283, by Senators Nobles, Billig, Shewmake, Holy, King, Liias, Lovick, Wilson, C., Wilson, J., Valdez, Kauffman, Hawkins, Lovelett, Padden, Fortunato, Cleveland, Trudeau, Frame, Hasegawa, Kuderer, Saldaña, and Stanford

Eliminating the expiration date for the Sandy Williams connecting communities program.

The measure was read the second time.

MOTION

On motion of Senator Nobles, the rules were suspended, Senate Bill No. 6283 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6283.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6283 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Saldaña

SENATE BILL NO. 6283, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from Hazelwood Elementary School, Newcastle who were seated in the gallery. The students were guests of Senator Wellman.

SECOND READING

SENATE BILL NO. 6301, by Senators Lovick, Dhingra, Boehnke, Hunt, Kuderer, Lovelett, MacEwen, Mullet, Padden, Shewmake, Warnick, and Wilson, J.

Concerning basic law enforcement academy.

MOTIONS

On motion of Senator Lovick, Substitute Senate Bill No. 6301 was substituted for Senate Bill No. 6301 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6301, by Senate Committee on Ways & Means (originally sponsored by Lovick, Dhingra, Boehnke, Hunt, Kuderer, Lovelett, MacEwen, Mullet, Padden, Shewmake, Warnick, and Wilson, J.)

On motion of Senator Lovick, the rules were suspended, Substitute Senate Bill No. 6301 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6301.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6301 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Saldaña

SUBSTITUTE SENATE BILL NO. 6301, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6308, by Senators Dhingra, Robinson, Kuderer, Nobles, and Trudeau

Extending timelines for implementation of the 988 system.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Senate Bill No. 6308 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dhingra 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. 6308.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6308 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Saldaña

SENATE BILL NO. 6308, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5973, by Senators Liias, Nguyen, Kuderer, Mullet, Nobles, Shewmake, and Valdez

Concerning heat pumps in common interest communities.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5973 was substituted for Senate Bill No. 5973 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5973, by Senate Committee on Law & Justice (originally sponsored by Liias, Nguyen, Kuderer, Mullet, Nobles, Shewmake, and Valdez)

Senator Liias moved that the following amendment no. 541 by Senator Liias be adopted:

On page 10, line 27, after "1," strike "2026" and insert "2028"

Senator Liias spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 541 by Senator Liias on page 10, line 27 to Substitute Senate Bill No. 5973.

The motion by Senator Liias carried and amendment no. 541 was adopted by voice vote.

On motion of Senator Liias, the rules were suspended, Engrossed Substitute Senate Bill No. 5973 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Liias spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5973.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5973 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Saldaña

ENGROSSED SUBSTITUTE SENATE BILL NO. 5973, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students from Hazelwood Elementary School, Newcastle who were seated in the gallery. The students were guests of Senator Wellman.

SECOND READING

SENATE BILL NO. 5986, by Senators Cleveland, Muzzall, Hasegawa, Kuderer, Mullet, Nobles, Randall, Salomon, Valdez, and Wellman

Protecting consumers from out-of-network health care services charges.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5986 was substituted for Senate Bill No. 5986 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5986, by Senate Committee on Ways & Means (originally sponsored by Cleveland, Muzzall, Hasegawa, Kuderer, Mullet, Nobles, Randall, Salomon, Valdez, and Wellman)

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 5986 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5986.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5986 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Saldaña

SUBSTITUTE SENATE BILL NO. 5986, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5882, by Senators Stanford, Wellman, Hunt, Pedersen, Wilson, C., Conway, Hasegawa, Kuderer, Nobles, Salomon, Shewmake, Valdez, and Van De Wege

Increasing prototypical school staffing to better meet student needs.

MOTIONS

On motion of Senator Stanford, Second Substitute Senate Bill No. 5882 was substituted for Senate Bill No. 5882 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5882, by Senate Committee on Ways & Means (originally sponsored by Stanford, Wellman, Hunt, Pedersen, Wilson, C., Conway, Hasegawa, Kuderer, Nobles, Salomon, Shewmake, Valdez, and Van De Wege)

On motion of Senator Stanford, the rules were suspended, Second Substitute Senate Bill No. 5882 was advanced to third

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

Senators Stanford, Wellman and Rivers spoke in favor of passage of the bill.

Senator Hawkins spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5882.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5882 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

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

Voting nay: Senators Boehnke, Dozier, Fortunato, Hawkins, MacEwen, McCune, Schoesler, Wagoner, Warnick, Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SECOND SUBSTITUTE SENATE BILL NO. 5882, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6020, by Senators Muzzall, Braun, and Lovelett

Establishing a Puget Sound nonspot shrimp pot fishery license.

MOTIONS

On motion of Senator Muzzall, Substitute Senate Bill No. 6020 was substituted for Senate Bill No. 6020 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6020, by Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Muzzall, Braun, and Lovelett)

On motion of Senator Muzzall, the rules were suspended, Substitute Senate Bill No. 6020 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Muzzall 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. 6020.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6020 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet,

Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Saldaña

SUBSTITUTE SENATE BILL NO. 6020, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5818, by Senators Van De Wege, Mullet, Nguyen, Salomon, Liias, Randall, Hasegawa, Kauffman, Dhingra, Stanford, Nobles, and Saldaña

Authorizing an exemption to the seashore conservation area for a qualified infrastructure project.

The measure was read the second time.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Senate Bill No. 5818 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Van De Wege spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5818.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5818 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Boehnke

Excused: Senator Saldaña

SENATE BILL NO. 5818, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6148, by Senators Rivers, Braun, Dozier, Frame, Hasegawa, and Wilson, C.

Establishing maternal and perinatal quality of care metrics for Washingtonians on medicaid.

The measure was read the second time.

MOTION

On motion of Senator Rivers, the rules were suspended, Senate

Bill No. 6148 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6148.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6148 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Saldaña

SENATE BILL NO. 6148, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:16 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Warnick announced a meeting of the Republican Caucus.

The Senate was called to order at 3:14 p.m. by the President of the Senate, Lt. Governor Heck presiding.

SECOND READING

SENATE BILL NO. 6098, by Senators Robinson and Nguyen

Concerning accounts.

The measure was read the second time.

MOTION

Senator Robinson moved that the following amendment no. 577 by Senator Mullet be adopted:

On page 6, after line 13, insert the following:

"NEW SECTION. Sec. 5. A new section is added to chapter 43.79 RCW to read as follows:

The inflation reduction elective pay account is created in the state treasury. All receipts from elective pay provided under P.L. 117-169 (inflation reduction act of 2022) must be deposited into the account. Moneys in the account may be spent only after appropriation."

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

On page 1, line 3 of the title, after "RCW;" insert "adding a new section to chapter 43.79 RCW;"

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

The President declared the question before the Senate to be the adoption of amendment no. 577 by Senator Mullet on page 6, after line 13 to Senate Bill No. 6098.

The motion by Senator Robinson carried and amendment no. 577 was adopted by voice vote.

MOTION

Senator Robinson moved that the following amendment no. 588 by Senator Liias be adopted:

On page 6, after line 25, insert the following:

"Sec. 6. RCW 70A.535.160 and 2023 c 431 s 14 are each amended to read as follows:

The clean fuels transportation investment account is created in the state treasury. All receipts to the state from clean fuel credits generated under this chapter from transportation investments funded in an omnibus transportation appropriations act, including those listed under RCW 70A.535.050(3), must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may only be used for activities and projects that reduce greenhouse gas emissions and decarbonize the transportation sector."

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

On page 13, line 4, after "account," insert "the clean fuels transportation investment account."

On page 16, line 40, after "account," insert "the clean fuels transportation investment account."

On page 1, beginning on line 1 of the title, after "82.45.240" strike "and 27.34.400" and insert ", 27.34.400, and 70A.535.160"

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

The President declared the question before the Senate to be the adoption of amendment no. 588 by Senator Liias on page 6, after line 25 to Senate Bill No. 6098.

The motion by Senator Robinson carried and amendment no. 588 was adopted by voice vote.

MOTION

Senator Robinson moved that the following amendment no. 615 by Senator Robinson be adopted:

On page 6, after line 25, insert the following:

"NEW SECTION. Sec. 6. A new section is added to chapter 74.09 RCW to read as follows:

The primary care workforce development account is created in the state treasury. All receipts from funding available for the family medicine residency network pursuant to RCW 74.60.090 and 70.112.060 and any other funds collected for the medicaid direct payment program established in chapter . . . , Laws of 2024 (the omnibus operating appropriations act) must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only to supplement primary care graduate medical education."

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

On page 8, line 34, after "revolving account," insert "the primary care workforce development account."

On page 11, line 17, after "revolving account," insert "the primary care workforce development account."

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On page 1, line 4 of the title, after "RCW;" insert "adding a new section to chapter 74.09 RCW;"

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

The President declared the question before the Senate to be the adoption of amendment no. 615 by Senator Robinson on page 6, after line 25 to Senate Bill No. 6098.

The motion by Senator Robinson carried and amendment no. 615 was adopted by voice vote.

MOTION

On motion of Senator Robinson, the rules were suspended, Engrossed Senate Bill No. 6098 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

MOTIONS

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

On motion of Senator Wilson, C., Senator Saldaña was excused.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6098.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6098 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, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, 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. 6098, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5784, by Senators Van De Wege, Muzzall, Mullet, Nobles, Wagoner, and Warnick

Concerning deer and elk damage to commercial crops.

MOTIONS

On motion of Senator Van De Wege, Second Substitute Senate Bill No. 5784 was substituted for Senate Bill No. 5784 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5784, by Senate Committee on Ways & Means (originally sponsored by Van De Wege, Muzzall, Mullet, Nobles, Wagoner, and Warnick)

On motion of Senator Van De Wege, the rules were suspended, Second Substitute Senate Bill No. 5784 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege and Wagoner 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. 5784.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5784 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, Hansen, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Hasegawa, Kauffman and Trudeau

SECOND SUBSTITUTE SENATE BILL NO. 5784, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5953, by Senators Wilson, C., Frame, Hasegawa, Kuderer, Lovelett, Nguyen, Nobles, Salomon, Trudeau, and Valdez

Concerning financial aid grants for incarcerated students.

MOTIONS

On motion of Senator Wilson, C., Substitute Senate Bill No. 5953 was substituted for Senate Bill No. 5953 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5953, by Senate Committee on Human Services (originally sponsored by Wilson, C., Frame, Hasegawa, Kuderer, Lovelett, Nguyen, Nobles, Salomon, Trudeau, and Valdez)

On motion of Senator Wilson, C., the rules were suspended, Substitute Senate Bill No. 5953 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C., Boehnke and Holy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5953.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5953 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, Hansen, Hasegawa, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Braun, Dozier, Gildon, Hawkins, MacEwen, McCune, Padden, Schoesler, Short, Wagoner, Warnick and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5953, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5838, by Senators Nguyen, Conway, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Lias, Lovelett, Lovick, Muzzall, Nobles, Saldaña, Salomon, Stanford, Torres, Valdez, and Wellman

Establishing an artificial intelligence task force.

MOTIONS

On motion of Senator Nguyen, Second Substitute Senate Bill No. 5838 was substituted for Senate Bill No. 5838 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5838, by Senate Committee on Ways & Means (originally sponsored by Nguyen, Conway, Dhingra, Frame, Hasegawa, Hunt, Keiser, Kuderer, Lias, Lovelett, Lovick, Muzzall, Nobles, Saldaña, Salomon, Stanford, Torres, Valdez, and Wellman)

Senator Nguyen moved that the following amendment no. 591 by Senator Nguyen be adopted:

On page 2, line 27, after "breakthroughs." insert "On January 30, 2024, Governor Inslee issued Executive Order 24-01 directing WaTech to identify generative artificial intelligence initiatives that could be implemented in state operations and issue guidelines for public sector procurement and usage."

On page 3, line 15, after "representing" strike "law enforcement" and insert "public safety"

On page 4, beginning on line 6, after "general" strike all material through "officer," on line 7

Senators Nguyen and Boehnke spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 591 by Senator Nguyen on page 2, line 27 to Second Substitute Senate Bill No. 2838.

The motion by Senator Nguyen carried and amendment no. 591 was adopted by voice vote.

MOTION

On motion of Senator Nguyen, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5838 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nguyen and Boehnke 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. 5838.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5838 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 18; Absent, 0; Excused, 0.

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

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

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5838, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5802, by Senators Muzzall, Hasegawa, Lovelett, Nobles, Rivers, and Robinson

Providing flexibility in calculation of nursing rates.

MOTIONS

On motion of Senator Muzzall, Substitute Senate Bill No. 5802 was substituted for Senate Bill No. 5802 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5802, by Senate Committee on Ways & Means (originally sponsored by Muzzall, Hasegawa, Lovelett, Nobles, Rivers, and Robinson)

On motion of Senator Muzzall, the rules were suspended, Substitute Senate Bill No. 5802 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5802.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5802 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, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Short,

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

SUBSTITUTE SENATE BILL NO. 5802, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5241, by Senators Randall, Rolfes, Kuderer, Trudeau, Pedersen, Shewmake, Hunt, Saldaña, Kauffman, Valdez, Lovick, Robinson, Lovelett, Lias, Frame, Nguyen, Stanford, and Wilson, C.

Concerning material changes to the operations and governance structure of participants in the health care marketplace.

The measure was read the second time.

MOTION

Senator Randall moved that the following striking amendment no. 557 by Senator Randall be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds and declares that:

(1) The existence of accessible and affordable health care services that are responsive to the needs of the community is an important public policy goal.

(2) The COVID-19 pandemic laid bare both the crucial importance of our health care systems and the inequities that exist and exacerbate harm to marginalized communities, including in access to and delivery of affordable, quality care.

(3) Health entity mergers, acquisitions, and contracting affiliations impact cost, quality, and access to health care, and affect working conditions and employee benefits.

(4) Health entity mergers, acquisitions, and contracting affiliations have been shown to result in anticompetitive consequences, including higher prices and a lack of any meaningful choice among health care providers within a community or geographic region. These negative outcomes are exacerbated for those in rural areas with few health care providers.

(5) The legislature is committed to ensuring that Washingtonians have access to the full range of reproductive, end-of-life, and gender affirming health care services. Yet, Washingtonians continue to experience difficulty accessing gender affirming care, and health entity mergers and acquisitions in Washington state have resulted in material reductions in reproductive and end-of-life health care services, to the detriment of communities and patients.

(6) Health entity mergers, acquisitions, and contracting affiliations must improve rather than harm access to affordable quality health care.

Sec. 2. RCW 19.390.010 and 2019 c 267 s 1 are each amended to read as follows:

(1) It is the intent of the legislature to ensure that competition beneficial to consumers in health care markets across Washington remains vigorous and robust and that health care be affordable and accessible. The legislature supports ~~((that intent))~~ these intents through this chapter, which provides the attorney general with notice of all material health care transactions in this state so that the attorney general has the information necessary to

determine whether an investigation under the consumer protection act is warranted for potential anticompetitive conduct and consumer harm. This chapter is intended to supplement the federal Hart-Scott-Rodino antitrust improvements act, Title 15 U.S.C. Sec. 18a, by requiring notice of transactions not reportable under Hart-Scott-Rodino reporting thresholds and by providing the attorney general with a copy of any filings made pursuant to the Hart-Scott-Rodino act. In addition to ensuring vigorous and robust competition in health care markets, this chapter is also intended to ensure material change transactions result in the affected communities having the same or greater access to quality, affordable care, including emergency care, primary care, reproductive care, end-of-life care including services provided in accordance with chapter 70.245 RCW, and gender affirming care.

(2) Notwithstanding the language in this chapter regarding the attorney general's authority to determine the effect of a material change transaction on access to care, nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

Sec. 3. RCW 19.390.020 and 2019 c 267 s 2 are each amended to read as follows:

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

(1) "Acquisition" means an agreement, arrangement, or activity the consummation of which results in a person acquiring directly or indirectly the control of another person, and includes the acquisition of voting securities and noncorporate interests, such as assets, capital stock, membership interests, or equity interests.

(2) "Affiliate" means a person that directly, or indirectly through one or more intermediaries, controls or has ownership of, is controlled or owned by, or is under common control or ownership of a person. A provider organization that is not otherwise affiliated with a hospital or hospital system is not considered an affiliate of a hospital or hospital system solely on the basis that it contracts with the hospital or hospital system to provide facility-based services including, but not limited to, emergency, anesthesiology, pathology, radiology, or hospital services.

(3) "Carrier" means the same as in RCW 48.43.005.

~~((3))~~ (4) "Contracting affiliation" means the formation of a relationship between two or more entities that permits the entities to negotiate jointly with carriers or third-party administrators over rates for professional medical services, or for one entity to negotiate on behalf of the other entity with carriers or third-party administrators over rates for professional medical services. "Contracting affiliation" does not include arrangements among entities under common ownership or arrangements where at least one entity in the arrangement is owned or operated by a state entity.

~~((4))~~ (5) "Gender affirming care" means a service or product that a health care provider, as defined in RCW 70.02.010, prescribes to an individual to treat any condition related to the individual's gender identity and is prescribed in accordance with generally accepted standards of care. Gender affirming care must be covered in a manner compliant with the federal mental health parity and addiction equity act of 2008 and the federal patient protection and affordable care act of 2010. Gender affirming care can be prescribed to two spirit, transgender, nonbinary, intersex, and other gender diverse individuals.

(6) "Health care services" means medical, surgical, chiropractic, hospital, optometric, podiatric, pharmaceutical,

ambulance, mental health, substance use disorder, therapeutic, preventative, diagnostic, curative, rehabilitative, palliative, custodial, and any other services relating to the prevention, cure, or treatment of illness, injury, or disease. Health care services may be provided virtually, on-demand, or in brick and mortar settings.

~~((5))~~ (7) "Health care services revenue" means the total revenue received for health care services in the previous ~~((twelve))~~ 12 months.

~~((6))~~ (8) "Health maintenance organization" means an organization receiving a certificate of registration pursuant to chapter 48.46 RCW which provides comprehensive health care services to enrolled participants of such organization on a group practice per capita prepayment basis or on a prepaid individual practice plan, except for an enrolled participant's responsibility for copayments and deductibles, either directly or through contractual or other arrangements with other institutions, entities, or persons, and which qualifies as a health maintenance organization pursuant to RCW 48.46.030 and 48.46.040.

~~((7))~~ (9) "Hospital" means a facility licensed under chapter 70.41 or 71.12 RCW.

~~((8))~~ (10) "Hospital system" means:

(a) A parent corporation of one or more hospitals and any entity affiliated with such parent corporation (~~(through ownership or control))~~; or

(b) A hospital and any entity affiliated with such hospital (~~(through ownership))~~.

~~((9))~~ (11) "Merger" means a consolidation of two or more organizations, including two or more organizations joining through a common parent organization or two or more organizations forming a new organization, but does not include a corporate reorganization.

~~((10))~~ (12) "Person" means, where applicable, natural persons, corporations, trusts, and partnerships.

~~((11))~~ (13) "Provider" means a natural person who practices a profession identified in RCW 18.130.040.

~~((12))~~ (14) "Provider organization" means a corporation, partnership, business trust, association, or organized group of persons, whether incorporated or not, which is in the business of health care delivery or management and that represents seven or more health care providers in contracting with carriers or third-party administrators for the payments of health care services. A "provider organization" includes physician organizations, physician-hospital organizations, independent practice associations, provider networks, and accountable care organizations.

~~((13))~~ (15) "Reproductive health care" means any medical services or treatments, including pharmaceutical and preventive care services or treatments, directly involved in the reproductive system and its processes, functions, and organs involved in reproduction, in all stages of life.

(16) "Successor persons" means persons formed by, resulting from, or surviving any material change transaction under this chapter.

(17) "Third-party administrator" means an entity that administers payments for health care services on behalf of a client in exchange for an administrative fee.

Sec. 4. RCW 19.390.030 and 2019 c 267 s 3 are each amended to read as follows:

(1) Not less than ~~((sixty))~~ 120 days prior to the effective date of any transaction that results in a material change, the parties to the transaction shall submit written notice to the attorney general of such material change transaction.

(2) For the purposes of this ~~((section))~~ chapter, a material change transaction includes a merger, acquisition, or contracting affiliation between two or more entities of the following types:

- (a) Hospitals;
- (b) Hospital systems; or
- (c) Provider organizations.

(3) A material change transaction includes proposed changes identified in subsection (2) of this section between Washington entities, as well as between a Washington entity and an out-of-state entity where the out-of-state entity or any of its affiliates generate~~((s ten million dollars))~~ \$10,000,000 or more in health care services revenue from patients residing in Washington state, and the entities are of the types identified in subsection (2) of this section. Any party to a material change transaction that is licensed or operating in Washington state shall submit a notice as required under this section.

(4) For purposes of subsection (2) of this section, a merger, acquisition, or contracting affiliation between two or more hospitals, hospital systems, or provider organizations only qualifies as a material change transaction if the hospitals, hospital systems, or provider organizations did not previously have common ownership or a contracting affiliation.

Sec. 5. RCW 19.390.040 and 2019 c 267 s 4 are each amended to read as follows:

(1) ~~((The))~~ For material change transactions where none of the parties are hospitals or hospital systems or an affiliate of a hospital or hospital system and none of the parties or an affiliate of a party have generated \$10,000,000 or more in health care services revenue from patients residing in Washington state in any of their preceding three fiscal years, the written notice provided by the parties, as required by RCW 19.390.030, must include:

(a) The names of the parties and their current business addresses;

(b) Identification of all locations where health care services are currently provided by each party and its affiliates;

(c) A brief description of the nature and purpose of the proposed material change transaction; and

(d) The anticipated effective date of the proposed material change transaction.

(2) For material change transactions where none of the parties are hospitals or hospital systems or an affiliate of a hospital or hospital system and all of the parties serve predominantly low-income, medically underserved individuals, and all of the parties had for each of their preceding three fiscal years at least 50 percent of their total patient revenue come from medicaid or local, state, or federal funding to provide care to uninsured or underinsured individuals, and the material change transaction would not result in materially lowering the overall level of care the successor persons' provide to individuals on medicaid or who are uninsured or underinsured, or cause, for the successor persons, the percentage of total patient revenue that comes from medicaid or local, state, or federal funding to provide care to uninsured or underinsured individuals to drop below 50 percent, the written notice provided by the parties, as required by RCW 19.390.030, must include:

(a) The information and documentation required under subsection (1)(a) through (d) of this section; and

(b) Documentation demonstrating that all the parties to the material change transaction had for each of their preceding three fiscal years at least 50 percent of their total patient revenue come from medicaid or local, state, or federal funding to provide care to uninsured or underinsured individuals, and a statement from the parties describing how the material change transaction will result in the successor persons complying with the requirements under this subsection.

(3) For all material change transactions other than those specified under subsections (1) and (2) of this section, the written notice provided by the parties, as required by RCW 19.390.030, must include:

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(a) The information and documentation required under subsection (1)(a) through (d) of this section;

(b) A copy of the material change transaction agreement;

(c) If applicable, a statement from each of the parties' board of directors that explains the effect the material change transaction will likely have on delivery and cost of health-related services to the communities impacted by the material change transaction, and the basis for this opinion;

(d) If applicable, a copy of the two most recent community needs assessments or any similar evaluations or assessments prepared by or for any of the hospitals, hospital systems, or provider organizations that are the subject of the material change transaction;

(e) A description of all charity care provided in the last three years, as well as denials, and the projected charity care for three years following the material change transaction by the parties to the material change transaction, or any successor persons. This description must include:

(i) Annual total charity care spending;

(ii) Inpatient, outpatient, and emergency room charity care spending;

(iii) A description of how the amount of charity care spending was calculated;

(iv) Annual charity care inpatient discharges, outpatient visits, and emergency visits;

(v) A description of the types of charity care services provided annually;

(vi) The number of charity care denials and reasons for denial; and

(vii) A description of the policies, procedures, and eligibility requirements for the provision of charity care;

(f) A description of the health care services currently provided at each hospital, hospital system, or provider organization that is the subject of the material change transaction;

(g) A description of all services provided in the past five years by each hospital, hospital system, and provider organization that is the subject of the material change transaction to apple health patients, qualified health plan patients, and indigent patients. This description must include, but is not limited to, the type and volume of services provided, the payors for the services provided, the demographic characteristics of and zip code data for the patients served by the hospital, hospital system, or provider organization, and the costs and revenues for the services provided;

(h) All policies, procedures, and other training materials related to registration, admission, and collections, including upfront, point-of-service, and postservice billing and collections;

(i) The following current policies for any hospital and, to the extent they exist, the following current policies for any provider organization that is the subject of the material change transaction:

(i) Admission policies; (ii) nondiscrimination policies; (iii) end-of-life policies; (iv) reproductive health policies; and (v) the reproductive health care services form as required under RCW 70.41.520;

(j) The following proposed policies that will apply after the material change transaction for any hospital or provider organization that is the subject of the material change transaction:

(i) Admission policies; (ii) nondiscrimination policies; (iii) end-of-life policies; (iv) reproductive health policies; and (v) for hospitals, the reproductive health care services form as required under RCW 70.41.520;

(k) To the extent they exist, any policies concerning the information and referrals medical providers are required to provide or are restricted from providing to patients regarding end-of-life care, including services provided in accordance with

chapter 70.245 RCW;

(l) If the material change transaction will have any impact on reproductive health care services provided by any hospital, hospital system, or provider organization that is the subject of the material change transaction, or any impact on the availability or accessibility of reproductive health care services in Washington state, a description of the reproductive health care services provided in the last five years by each hospital, hospital system, or provider organization that is the subject of the material change transaction and a description of the effect the material change transaction will have on available reproductive health care services. This description must include the types and levels of reproductive services provided in the last five years and those proposed to be provided after the material change transaction, including, but not limited to, information about contraception provision, pregnancy terminations, tubal ligations, and fertility treatments provided, and a description of how this information was compiled;

(m) If the material change transaction will have any impact on end-of-life health care services provided by any hospital, hospital system, or provider organization that is the subject of the material change transaction, including services provided in accordance with chapter 70.245 RCW, or any impact on the availability or accessibility of end-of-life health care services in Washington state, including services provided in accordance with chapter 70.245 RCW, a description of the end-of-life health care services provided in the last five years by each hospital, hospital system, or provider organization that is the subject of the material change transaction and a description of the effect the material change transaction will have on available end-of-life care services. This description must include the types and levels of end-of-life services provided in the last five years and those proposed to be provided after the material change transaction including, but not limited to, information about the number of occasions in which doctors served as consulting or attending physicians at the hospital, hospital system, or provider organization under chapter 70.245 RCW, a description of the end-of-life health care services expected to be available at the hospitals, hospital systems, or provider organizations that are the subject of the material change transaction, and a description of how this information was compiled;

(n) If the material change transaction will have any impact on gender affirming health care services provided by any hospital, hospital system, or provider organization that is the subject of the material change transaction, or any impact on the availability or accessibility of gender affirming health care services in Washington state, a description of all gender affirming health care services provided in the last five years by each hospital, hospital system, or provider organization that is the subject of the material change transaction and a description of the effect the material change transaction will have on available gender affirming care. This description must include the types and levels of gender affirming health care provided in the last five years and those proposed to be provided after the material change transaction including, but not limited to, facial gender affirming care, body gender affirming care, and primary sex characteristics care, and a description of how this information was compiled;

(o) A description of any anticipated changes in health care services provided after the material change transaction by any hospital, hospital system, or provider organization that is the subject of the material change transaction. If anticipated alterations include a reduction, relocation, or elimination of a service, the following information should be included: (i) The need the population presently has for the service; (ii) how the need will be adequately met by the proposed alteration; and (iii)

alternative arrangements designed to meet the identified need;

(p) A description of each measure proposed by the parties to mitigate or eliminate any potential adverse effect on the availability or accessibility of health care services to the affected communities that may result from the material change transaction;

(q) A description of any changes to sexual assault nurse examiner and forensic nurse examiner programs after the material change transaction at any hospital, hospital system, or provider organization that is the subject of the material change transaction and any measures proposed by the parties to mitigate or eliminate any potential adverse effects to these programs;

(r) A description of any community benefit program provided by any of the parties to the material change transaction during the past five years with an annual cost of at least \$10,000 and the annual cost of each program for the past five years;

(s) For each hospital, hospital system, or provider organization that is the subject of the material change transaction, a description of current policies and procedures on staffing for patient care areas; employee input on health quality and staffing issues; and employee wages, salaries, benefits, working conditions, and employment protections. This description must include a list of all existing staffing plans, policy and procedure manuals, employee handbooks, collective bargaining agreements, or similar employment-related documents;

(t) For each hospital, hospital system, or provider organization that is the subject of the material change transaction, all existing documents setting forth any guarantees made by any entity that would be taking over operation or control of each hospital, hospital system, or provider organization relating to employee job security and retraining, or the continuation of current staffing levels and policies, employee wages, salaries, benefits, working conditions, and employment protections;

(u) For each hospital, hospital system, or provider organization that is the subject of the material change transaction, a statement as to whether, after the material change transaction, neutrality will be maintained through all communications and usage of funds regarding nonunion employees forming a union;

(v) For each hospital, hospital system, or provider organization that is the subject of the material change transaction, a statement as to whether any successor of the employer or union will be bound to any existing union certification and any existing collective bargaining agreement;

(w) For each hospital, hospital system, or provider organization that is the subject of the material change transaction, a description of current debt collection practices and a description of any anticipated changes to debt collection practices following the material change transaction;

(x) If applicable, a detailed statement and documents relating to the parties' plans for assuring the continuance of existing hospital privileges after the material change transaction;

(y) If applicable, a detailed statement and documents relating to the parties' plans for ensuring the maintenance of appropriate health science research and health care provider education after the material change transaction;

(z) A detailed statement and documents relating to the parties' plans for ensuring safeguards to avoid conflict of interest in patient referral after the material change transaction;

(aa) A detailed statement and documents relating to the parties' commitment and plans to provide health care to the disadvantaged, the uninsured, and the underinsured, and how benefits to promote improved health in the affected community will be provided after the material change transaction; and

(bb) A list of the primary languages spoken by patients at each hospital, hospital system, or provider organization that is the subject of the material change transaction.

(4)(a) In cases of an extraordinary emergency situation that threatens access to health care services and has the potential to immediately harm consumers, the attorney general may limit the information otherwise required by subsection (3) of this section for the sole purpose of expediting the review process.

(b) If the parties to a material change transaction seek expedited review under (a) of this subsection, the parties shall provide documentation to the attorney general's office demonstrating the existence of an extraordinary emergency situation including a complete statement of facts, circumstances, and conditions which demonstrate the extraordinary emergency situation.

(c) The attorney general shall respond within 10 days to advise the parties as to whether any information otherwise required by subsection (3) of this section may be waived.

(d) Nothing in this subsection alters the preliminary or comprehensive review and oversight required under RCW 19.390.050, 19.390.070, and 19.390.080 and sections 7, 9 through 18, and 20 through 22 of this act.

(e) Nothing in this subsection alters the information collection requirements in other sections of this chapter including the requirement of a public hearing under section 12 of this act.

(5) The attorney general shall charge an applicant fee sufficient to cover the costs of implementing this chapter. Fees for a specific material change transaction review must be set relative to whether the review is preliminary or comprehensive.

(6) The attorney general may request additional information that is necessary to implement the goals of this chapter.

(7) Nothing in this section prohibits the parties to a material change transaction from voluntarily providing additional information to the attorney general.

Sec. 6. RCW 19.390.050 and 2019 c 267 s 5 are each amended to read as follows:

~~(The)~~ For the purpose of conducting an investigation under chapter 19.86 RCW or federal antitrust laws, the attorney general shall make any requests for additional information from the parties under RCW 19.86.110 within ~~(thirty)~~ 30 days of the date notice is received under RCW 19.390.030 and 19.390.040. ~~(Nothing)~~ Regardless of whether the attorney general requests additional information from the parties, nothing in this section precludes the attorney general from conducting an investigation or enforcing any state or federal ~~(antitrust)~~ laws at a later date.

NEW SECTION. Sec. 7. (1) The attorney general shall determine if the notice required under RCW 19.390.030 and 19.390.040 is complete for the purposes of review. If the attorney general determines that a notice is incomplete, it shall notify the parties within 15 working days after the date the notice was received stating the reasons for its determination of incompleteness.

(2) A completed notice shall be deemed received on the date when all the information required by RCW 19.390.040 has been submitted to the attorney general's office.

(3) For all material change transactions included under RCW 19.390.040(3), the attorney general shall, within five working days after receipt of a completed notice, include information about the notice on the attorney general's website and in a newspaper of general circulation in the county or counties where communities impacted by the material change transaction are located. In addition, the attorney general shall notify by first-class United States mail, email, or facsimile transmission, any person who has requested notice of the filing of such notices. The information must state that a notice has been received, state the names of the parties to the material change transaction, describe the contents of the written notice in clear and simple terms, and state the date and process by which a person may submit written comments about the notice to the attorney general's office.

(4) The attorney general is not required to make public any

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information submitted pursuant to its investigative authority under chapter 19.86 RCW, or any information or analysis associated with an investigation under chapter 19.86 RCW.

Sec. 8. RCW 19.390.080 and 2019 c 267 s 8 are each amended to read as follows:

Any person who fails to comply with ~~((any provision of this chapter))~~ RCW 19.390.030 or 19.390.040 is liable to the state for a civil penalty of ~~((not more than two hundred dollars per day for each day during which such person is in violation of this chapter))~~ up to 15 percent of the value of the material change transaction, in the discretion of the attorney general.

NEW SECTION. Sec. 9. (1) No material change transaction under this chapter may take place if it would detrimentally affect the continued existence of accessible, affordable health care in Washington state for at least 10 years after the transaction occurs. To this end the material change transaction must result in the affected communities having the same or greater access to quality, affordable care, including but not limited to emergency care, primary care, reproductive health care, gender affirming care, and end-of-life care including services provided in accordance with chapter 70.245 RCW.

(2) The material change transaction must also result in:

- (a) Reducing the growth in patient and health plan sponsor costs;
- (b) Increasing access to services in medically underserved areas;
- (c) Rectifying historical and contemporary factors contributing to a lack of health equities or access to services; or
- (d) Improving health outcomes for residents of this state.

(3) The material change transaction must not result in the revocation of hospital privileges and must establish sufficient safeguards to maintain appropriate capacity for health provider education.

(4) The material change transaction must not result in a reduction in staffing capacity for the provision of medically necessary services to the extent such reductions would diminish patients' access to quality care.

(5) In determining whether a material change transaction fulfills the requirements of subsections (1) through (4) of this section, the attorney general shall take into consideration whether the material change transaction is necessary to maintain the solvency of an entity involved in the transaction. However, the attorney general may not determine that a material change transaction is necessary to maintain the solvency of an entity without first having an independent contractor prepare a financial assessment of the entity. Such assessment must include possible alternatives to the material change transaction, and the likely impact of those alternatives, if implemented, on the entity's solvency.

(6) Nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

NEW SECTION. Sec. 10. (1) For all material change transactions included under RCW 19.390.040(3), the attorney general shall conduct a preliminary review of the completed notice to determine if the material change transaction will fulfill the requirements under section 9 of this act. The review must include, but is not limited to, an analysis of the information and documentation provided under RCW 19.390.040 and one public hearing.

(2) After conducting the preliminary review, if the attorney general determines that the material change transaction is likely

to fulfill the requirements under section 9 of this act, the attorney general may not conduct a comprehensive review of the material change transaction as provided under sections 11, 13, and 14 of this act.

(3) The attorney general shall, within 60 days of receiving a completed notice, inform parties to a material change transaction as to whether a comprehensive review of the material change transaction is required as provided under sections 11, 13, and 14 of this act.

(4) Nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

NEW SECTION. Sec. 11. (1) For all material change transactions included under RCW 19.390.040(3) that are not limited to the preliminary review under section 10 of this act, the attorney general shall review the completed notice and conduct a comprehensive review. After conducting a comprehensive review, the attorney general shall within 120 days of receiving the completed notice:

(a) Approve the material change transaction in writing. The approval of a material change transaction pursuant to this chapter does not constitute approval for the purpose of RCW 19.86.170, or any other provision of state or federal consumer protection or antitrust law. Such approval pursuant to this chapter does not preclude the attorney general from taking any action to enforce state or federal consumer protection or antitrust law;

(b) Impose conditions or modifications on the material change transaction to ensure the requirements of section 9 of this act are met and that sufficient safeguards are in place to ensure communities have continued or improved access to affordable quality care. The imposition of such conditions or modifications shall be in writing and constitute a final decision subject to all appellate rights contained within this chapter; or

(c) Disapprove the material change transaction in writing with written justification, which shall constitute a final decision subject to all appellate rights contained within this act.

(2) Within 30 days after a final decision of the attorney general either denying or approving with modifications a material change transaction, any party to the material change transaction may appeal the decision to the superior court. An appeal to the superior court shall be to the superior court of a county in which the material change transaction is to have occurred or to the superior court for Thurston county. Such appeal shall be perfected by filing with the clerk of the court a notice of appeal and by serving a copy thereof by mail, or personally, on the attorney general or their appointed designee. The attorney general shall, in all cases within 15 days after the receipt of such notice of appeal, serve and file its notice of appearance and such appeal shall thereupon be deemed at issue. The attorney general shall serve upon the appealing party and file with the clerk of the court within 30 days of the filing of the appeal, a certified copy of the attorney general's official record which shall include the final decision, and all accompanying documents, subject to the same confidentiality protections provided to such documents in the underlying act. These shall become the record in the case subject to leave of the court. The superior court shall review the final decision of the attorney general, subject to the statutory requirements of the underlying act and chapter 34.05 RCW.

(3) The attorney general may not make its decision to disapprove the material change transaction subject to any condition not directly and rationally related to the requirements under section 9 of this act and any condition or modification must

bear a direct and rational relationship to the notice under review and the requirements under section 9 of this act.

(4) Nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

NEW SECTION. Sec. 12. During the course of the preliminary review of notices of material change transactions under RCW 19.390.040(3), as provided under section 10 of this act, the attorney general shall conduct one or more public hearings, at least one of which must be in a county where one of the communities impacted by the material change transaction is located and must also allow individuals to participate remotely in the hearing. If a material change transaction undergoes the comprehensive review process as provided for under sections 11, 13, and 14 of this act, the attorney general may conduct additional public hearings. At the hearings, anyone may file written comments and exhibits or appear and make a statement. The attorney general may subpoena additional information or witnesses, require and administer oaths, require sworn statements, take depositions, and use related discovery procedures for purposes of the hearing and at any time prior to making a decision on the material change transaction.

(1) The first public hearing must be held no later than 30 days after the attorney general receives a completed notice.

(2) At least 15 days prior to the public hearing, the attorney general shall provide notice of the time and place of the hearing on its website and to any person who has requested notice of the hearing in writing.

(3)(a) At least 15 days prior to the public hearing, the parties to the material change transaction shall provide notice of the time and place of the hearing. The notice must be provided:

(i) Through publication in a newspaper of general circulation in the communities that will be impacted by the material change transaction;

(ii) At the public entrance and on the bulletin board designated for legal or public notices of any hospital, hospital system, provider organization, and other health care facility that is the subject of the material change transaction;

(iii) Prominently on the website available to the public of any hospital, hospital system, provider organization, and other health care facility that is the subject of the material change transaction; and

(iv) On the website available to the employees of any hospital, hospital system, provider organization, and other health care facility that is the subject of the material change transaction.

The notice of the time and place of the meeting must be provided in English and in the languages spoken in the county or counties in which the hospitals, hospital systems, provider organizations, or other health care facilities that are the subject of the material change transaction are located.

(b) For purposes of this section, "health care facility" means a hospital, clinic, nursing home, laboratory, office, or similar place where a health care provider provides health care to patients.

(4) Within 15 business days of the last hearing, the attorney general shall compile a summary report of each public hearing proceeding and post the summary report on its website.

(5) If during the course of the preliminary or comprehensive review, there is any change in the terms of the material change transaction that materially alters any of the information that the parties to the material change transaction provided under RCW 19.390.040(3), the attorney general shall conduct an additional public hearing to ensure adequate public comment regarding the proposed change.

(6) Nothing in this chapter is intended to derogate from or otherwise affect in any way the attorney general's authority to conduct an investigation, or the process of any investigation, under chapter 19.86 RCW. Nothing in this section is intended to change or affect in any way any substantive law regarding the antitrust analysis of a material change transaction.

NEW SECTION. Sec. 13. (1) For any material change transactions included under RCW 19.390.040(3), which are not limited to the preliminary review under section 10 of this act, the attorney general must hire an independent contractor to prepare a health equity assessment. The independent contractor shall be screened for any conflicts of interest in advance, agree to maintain confidentiality of information pursuant to this chapter, agree to charge a reasonable market-rate fee, and have necessary experience and expertise. In creating a health equity assessment, the independent contractor must engage with and provide input in the assessment from the department of health, local public health jurisdictions, emergency health care coalitions, health care entities, public health experts, organizations representing employees of the applicant, health care advocates, community members who reside in the service areas of the parties to the material change transaction, the parties to the material change transaction, and other individuals or organizations the attorney general, secretary of health, or independent contractor determine should be consulted. Any assessment conducted under this section must be completed 30 days prior to the attorney general's deadline to complete a review under section 10 of this act.

(2) The health equity assessment must contain information and data, including health services data, to better inform the attorney general as to whether the parties meet the requirements for a material change transaction under section 9 of this act.

(3) The health equity assessment must include, but is not limited to, the following information:

(a) An assessment of whether the material change transaction will improve or reduce access to health services in the communities impacted by the material change transaction including, but not limited to, emergency care services, primary care services, specialty services, reproductive health care services, gender affirming health care, and end-of-life services including services provided in accordance with chapter 70.245 RCW;

(b) An assessment of whether the material change transaction will reduce health disparities with particular reference to members of medically underserved groups in the parties' service areas;

(c) An assessment of the effect of the material change transaction on the affordability and provision of health care services to individuals eligible for medical assistance under chapter 74.09 RCW or medicare, indigent individuals, individuals with disabilities, women, racial and ethnic minorities, lesbian, gay, bisexual, transgender, gender diverse, or queer individuals, terminally ill individuals, and other underserved or marginalized populations;

(d) An assessment of the effect of the material change transaction on the level and type of charity care the parties to the material change transaction will provide;

(e) An assessment of the effect of the material change transaction on any community benefit program that the parties to the material change transaction have historically funded or operated;

(f) An assessment of the effect of the material change transaction on staffing for patient care and areas of patient care within facilities as it may affect availability of care, on the likely retention of employees as it may affect continuity of care, and on the rights of employees to provide input on health quality and staffing issues;

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(g) An assessment of the effect of the material change transaction on the cost of patient care;

(h) An assessment of the prior performance of the parties to the material change transaction in meeting state and federal requirements to provide uncompensated care, community services, and access by minorities and people with disabilities to programs receiving federal financial assistance, including the existence of any civil rights access complaints against any of the parties, and how the material change transaction will impact the fulfillment of these requirements;

(i) An assessment of whether the material change transaction will have a positive or negative impact on effective communication between the hospitals, hospital systems, or provider organizations and people with limited English-speaking ability and those with speech, hearing, or visual impairments;

(j) An assessment of whether the material change transaction will reduce architectural barriers for people with mobility impairments with specific input from the department of health;

(k) A review of how the parties to the material change transaction will maintain or improve the quality of health services including a review of:

- (i) Demographics of the parties' service areas;
 - (ii) Economic status of the population of the parties' services area;
 - (iii) Physician and professional staffing issues related to the material change transaction;
 - (iv) Availability of similar services at other institutions in or near the parties' services area; and
 - (v) Historical and projected market shares of hospitals, hospital systems, and provider organizations in the parties' service area;
- (l) A financial and economic assessment that includes a description of current costs and competition in the relevant geographic and product market and any anticipated changes in such costs and competition as a result of the material change transaction; and
- (m) A discussion of alternatives, and anticipated impacts of alternatives, to the material change transaction, including: (i) Closure of any of the health facilities that are the subject of the material change transaction; and (ii) recommendations for additional feasible mitigation measures that would reduce or eliminate any significant adverse effect on health care services and affordability identified in the health equity assessment.

(4) The information contained in the independent health equity assessment must be used by the attorney general's office in determining under section 11 of this act whether to impose conditions or modifications or disapprove the material change transaction.

(5) The health equity assessment must be posted on the attorney general's website.

NEW SECTION. Sec. 14. (1) The attorney general may at its discretion appoint a review board of stakeholders to conduct a comprehensive review and make recommendations as to whether a material change transaction under RCW 19.390.040(3), other than material change transactions limited to the preliminary review under section 10 of this act, fulfills the requirements under section 9 of this act.

(2) A review board convened by the attorney general under this section must consist of members of the communities affected by the material change transaction, consumer advocates, and health care experts.

(3) No more than one-third of the members of the review board may be representatives of institutional health care providers. The attorney general may not appoint to a review board an individual who is employed by or has a contract with a party to the material change transaction or is employed by a competitor that is of a

similar size to a party to the material change transaction.

(4) A member of a review board shall file a notice of conflict of interest and the notice shall be made public.

NEW SECTION. Sec. 15. (1) The secretary of state may not accept any forms or documents in connection with any material change transaction if the attorney general, in accordance with section 11 of this act, disapproved the material change transaction or the parties to the material change transaction have not agreed to any conditions or modifications imposed by the attorney general in accordance with section 11 of this act.

(2) The attorney general may seek an injunction to prevent any material change transaction that has been disapproved by the attorney general in accordance with section 11 of this act or that does not incorporate any conditions or modifications imposed by the attorney general in accordance with section 11 of this act.

NEW SECTION. Sec. 16. For any material change transaction included under RCW 19.390.040(3), the following apply:

(1) Once a material change transaction is finalized the parties shall inform the attorney general in the form and manner prescribed by the attorney general.

(2) For at least 10 years, the attorney general shall monitor the parties' and any successor persons' ongoing compliance with this chapter.

(3) The attorney general shall, for 10 years, require annual reports from the parties to the material change transaction or any successor persons to ensure compliance with section 9 of this act and any conditions or modifications the attorney general imposed on the material change transaction. The attorney general may request information and documents and conduct on-site compliance audits.

(4) To effectively monitor ongoing compliance, the attorney general shall regularly provide the opportunity for the public to submit written comments, and may, in its discretion, contract with experts and consultants. Contract costs must not exceed an amount that is reasonable and necessary to conduct the review and evaluation.

(5) If the attorney general has reason to believe that the parties or successor persons' of a material change transaction no longer satisfy the requirements of section 9 of this act, or are not complying with any conditions or modifications imposed by the attorney general under section 11 of this act, the attorney general shall conduct an investigation. As part of the investigation the attorney general will provide public notice of the investigation and obtain input from community members impacted by the material change transaction. Following the investigation, the attorney general shall publish a report of its findings.

(6) If after the investigation, the attorney general determines that the parties or successor persons no longer satisfy the requirements of section 9 of this act, or are not complying with conditions or modifications imposed under section 11 of this act, the attorney general shall issue an order directing the parties or successor persons to come into compliance with this chapter and a timeline by which the parties must enter into compliance.

(7) If the parties or successor persons do not enter into compliance with the attorney general's order, the attorney general may impose civil fines of no less than \$10,000 per day until the parties or successor persons comply with the order, and may take legal action under section 18 of this act.

(8) The cost of the investigation and any on-site reviews related to determining the validity of the information will be borne by the parties to the material change transaction or successor persons.

(9) The attorney general may bill the parties or successor persons and the parties or successor persons billed by the attorney general shall promptly pay. If the parties or successor persons fail

to pay within 30 days, the attorney general may assess a civil fine of five percent of the billed amount for each day the party does not pay.

NEW SECTION. Sec. 17. The attorney general, in consultation with provider organizations, will develop a simple form that parties or successor persons subject to RCW 19.390.040(2) will submit yearly for 10 years to demonstrate that the successor persons' overall level of care to individuals on medicaid or who are uninsured or underinsured has not materially lowered and that the successor persons' percentage of total patient revenue that comes from medicaid or local, state, or federal funding to provide care to uninsured or underinsured individuals has not dropped below 50 percent.

NEW SECTION. Sec. 18. The attorney general has the authority to ensure compliance with commitments that inure to the public interest. The attorney general may take legal action to enforce this chapter, any conditions or modifications the attorney general imposes on a material change transaction, or any order the attorney general issues under section 16 of this act. The attorney general may obtain restitution, injunctive relief, civil penalties, disgorgement of profits, attorneys' fees, and such other relief as the court deems necessary to ensure compliance. The remedies provided under this chapter are in addition to any other remedy that may be available under any other provision of law.

Sec. 19. RCW 19.390.070 and 2019 c 267 s 7 are each amended to read as follows:

(1) Information submitted to the attorney general (~~(pursuant to this chapter)~~ under RCW 19.390.050) shall be maintained and used by the attorney general in the same manner and under the same protections as provided in RCW 19.86.110. The information, including documentary material, answers to written interrogatories, or transcripts of oral testimony produced pursuant to a demand or copies, must not, unless otherwise ordered by a superior court for good cause shown, be produced for inspection or copying pursuant to chapter 42.56 RCW by the person who produced the material, answered written interrogatories or gave oral testimony.

(2)(a) The parties to a material change transaction may designate portions of documents submitted pursuant RCW 19.390.040(3) and any documents thereafter submitted by the parties as confidential if the information is sensitive financial, commercial, or proprietary information or is protected from disclosure by state or federal law. The applicant shall provide two versions of any document designated as confidential. One shall be marked as "CONFIDENTIAL" and shall contain the full unredacted version of the document and shall be maintained as such by the attorney general. The second shall be marked as "PUBLIC" and shall contain a redacted version of the materials from which the confidential portions have been removed or obscured and shall be made available by the attorney general to the public, the entity providing the health care equity assessment pursuant to section 13 of this act, the entity providing the financial assessment pursuant to section 9 of this act, and the review board of stakeholders pursuant to section 14 of this act. An applicant claiming confidentiality in respect to documents shall include a redaction log that provides a reasonably detailed statement of the grounds on which confidentiality is claimed, citing the applicable basis for confidentiality of each portion.

(b) Confidential materials provided by a party to a material change transaction that is subject to review by the attorney general shall be maintained as confidential materials and not subject to disclosure under chapter 42.56 RCW.

(3) All materials provided during public hearings are considered public records for purposes of chapter 42.56 RCW.

(4) Nothing in this chapter limits the attorney general's authority under RCW 19.86.110 or 19.86.115. Nothing in this

chapter expands the attorney general's authority under chapter 19.86 RCW, federal or state antitrust law, or any other law. Failure to comply with this chapter does not provide a private cause of action.

NEW SECTION. Sec. 20. No provision of chapter 19.390 RCW derogates from the common law or statutory authority of the attorney general.

NEW SECTION. Sec. 21. The attorney general may adopt rules necessary to implement chapter 19.390 RCW and may contract with and provide reasonable reimbursement to qualified persons to assist in determining whether parties or successor persons are in compliance with the requirements under this chapter.

NEW SECTION. Sec. 22. If a material change transaction is also subject to review under chapter 70.38 or 70.45 RCW, the review under those chapters shall be concurrent with the review under this chapter, to the extent practicable.

NEW SECTION. Sec. 23. Every four years, the attorney general shall commission a study of the impact of material change transactions in Washington state. The study must review material change transactions occurring during the previous four-year period and include an analysis of:

(1) The impact on costs to consumers and health sponsors for health care; and

(2) Any increases or decreases in the quality of care, including:

(a) Improvement or reductions in morbidity;

(b) Improvement or reductions in the management of population health;

(c) Improvement or reductions in access to emergency care services, primary care services, reproductive health care services, gender affirming care services, and end-of-life care services including services provided in accordance with chapter 70.245 RCW; and

(d) Changes to health and patient outcomes, particularly for underserved and uninsured individuals, recipients of medical assistance and other low-income individuals, and individuals living in rural areas, as measured by nationally recognized measures of the quality of health care, such as measures used or endorsed by the national committee for quality assurance, the national quality forum, the physician consortium for performance improvement, or the agency for health care research and quality.

(3) The attorney general shall commission the first study under this section no later than January 1, 2028.

NEW SECTION. Sec. 24. (1) By January, 2026, the attorney general shall complete a study on the impact of health care mergers and acquisitions in Washington state between health carriers as defined in RCW 48.43.005 and hospitals, hospital systems, or provider organizations. The study shall include:

(a) The impact on costs to consumers and health sponsors for health care; and

(b) Any increases or decreases in the quality of care, including:

(i) Improvement or reductions in morbidity;

(ii) Improvement or reductions in the management of population health;

(iii) Improvement or reductions in access to emergency care services, primary care services, reproductive health care services, gender affirming care services, and end-of-life care services including services provided in accordance with chapter 70.245 RCW; and

(iv) Changes to health and patient outcomes, particularly for underserved and uninsured individuals, recipients of medical assistance and other low-income individuals, and individuals living in rural areas, as measured by nationally recognized measures of the quality of health care, such as measures used or endorsed by the national committee for quality assurance, the national quality forum, the physician consortium for performance

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improvement, or the agency for health care research and quality.

(2) This section expires July 1, 2026.

NEW SECTION. Sec. 25. This act may be known and cited as the keep our care act.

NEW SECTION. Sec. 26. Sections 7, 9 through 18, and 20 through 25 of this act are each added to chapter 19.390 RCW.

NEW SECTION. Sec. 27. This act takes effect January 1, 2025.

NEW SECTION. Sec. 28. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

On page 1, line 2 of the title, after "marketplace;" strike the remainder of the title and insert "amending RCW 19.390.010, 19.390.020, 19.390.030, 19.390.040, 19.390.050, 19.390.080, and 19.390.070; adding new sections to chapter 19.390 RCW; creating a new section; providing an effective date; and providing an expiration date."

MOTION

Senator Short moved that the following amendment no. 607 by Senator Short be adopted:

On page 3, line 19, after "state entity" insert ". "Contracting affiliation" also does not include arrangements among entities under common ownership or arrangements where at least one entity in the arrangement has a publicly elected board of commissioners and where this same governance structure is retained after the transaction""

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

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

The President declared the question before the Senate to be the adoption of amendment no. 607 by Senator Short on page 3, line 19 to striking amendment no. 557.

The motion by Senator Short did not carry and amendment no. 607 was not adopted by voice vote.

MOTION

Senator Kuderer moved that the following amendment no. 573 by Senator Kuderer be adopted:

On page 5, beginning on line 6, strike all of section 4 and insert the following:

"Sec. 4. RCW 19.390.030 and 2019 c 267 s 3 are each amended to read as follows:

(1) Not less than ~~((sixty))~~ 120 days prior to the effective date of any transaction that results in a material change, the parties to the transaction shall submit written notice to the attorney general of such material change transaction.

(2) For the purposes of this ~~((section))~~ chapter, a material change transaction includes a merger, acquisition, or contracting affiliation ~~((between))~~ :

(a) Between two or more ((entities)) of the following ((types)) entities:

~~((a))~~ (i) Hospitals;

~~((b))~~ (ii) Hospital systems; or

~~((c))~~ (iii) Provider organizations; or

(b) Between the following entities:

(i) An entity described in (a) of this subsection and a carrier or an insurance holding company system, as defined in RCW

48.31B.005; or

(ii) An entity described in (a) of this subsection and any other person or entity that has as its primary function the provision of health care services or that is a parent organization of, has control over, or governance of, an entity that has as its primary function the provision of health care services.

(3) A material change transaction includes proposed changes identified in subsection (2) of this section between ~~((a Washington entity and an out-of-state entity where the out-of-state entity generates ten million dollars or more in health care services revenue from patients residing in Washington state, and the entities are of the types identified in subsection (2) of this section))~~ Washington entities, as well as between Washington entities described in subsection (2)(a) of this section and out-of-state entities. Any party to a material change transaction that is licensed or operating in Washington state shall submit a notice as required under this section.

(4) For purposes of subsection (2) of this section, a merger, acquisition, or contracting affiliation between two or more ~~((hospitals, hospital systems, or provider organizations))~~ entities only qualifies as a material change transaction if the ~~((hospitals, hospital systems, or provider organizations))~~ entities did not previously have common ownership or a contracting affiliation."

Senators Kuderer and Rivers spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 573 by Senator Kuderer on page 5, line 6 to striking amendment no. 557.

The motion by Senator Kuderer carried and amendment no. 573 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Rivers and without objection, amendment no. 602 by Senator Rivers on page 5, line 6 to striking amendment no. 557 was withdrawn.

MOTION

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

On page 5, beginning on line 6, strike all of section 4 and insert the following:

"Sec. 4. RCW 19.390.030 and 2019 c 267 s 3 are each amended to read as follows:

(1) Not less than ~~((sixty))~~ 120 days prior to the effective date of any transaction that results in a material change, the parties to the transaction shall submit written notice to the attorney general of such material change transaction.

(2) For the purposes of this ~~((section))~~ chapter, a material change transaction includes a merger, acquisition, or contracting affiliation between two or more entities of the following types and which meets the requirements of subsection (4) of this section:

(a) Hospitals;

(b) Hospital systems; or

(c) Provider organizations.

(3) A material change transaction includes proposed changes identified in subsection (2) of this section between Washington entities, as well as between a Washington entity and an out-of-state entity where the out-of-state entity or any of its affiliates generate((s ten million dollars)) \$10,000,000 or more in health care services revenue from patients residing in Washington state, ~~((and))~~ the entities are of the types identified in subsection (2) of

this section, and the transaction meets the requirements of subsection (4) of this section. Any party to a material change transaction that is licensed or operating in Washington state shall submit a notice as required under this section.

(4) To qualify as a material change transaction:

(a) At least one party to the material change transaction must have had an average revenue of \$25,000,000 or more in the preceding three fiscal years; and

(b)(i) The second party to the transaction must have had an average revenue of at least \$10,000,000 in the preceding three fiscal years; or

(ii) In the case of a new entity, the new entity is projected to have at least \$10,000,000 in revenue in the first full year of operation at normal levels of utilization or operation.

(5) For purposes of subsection (2) of this section, a merger, acquisition, or contracting affiliation between two or more hospitals, hospital systems, or provider organizations only qualifies as a material change transaction if the hospitals, hospital systems, or provider organizations did not previously have common ownership or a contracting affiliation."

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

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

The President declared the question before the Senate to be the adoption of amendment no. 611 by Senator Short on page 5, line 6 to striking amendment no. 557.

The motion by Senator Short did not carry and amendment no. 611 was not adopted by voice vote.

MOTION

Senator Cleveland moved that the following amendment no. 584 by Senator Cleveland be adopted:

On page 6, line 38, after "(3)" insert "For material change transactions where none of the parties are hospitals or hospital systems or an affiliate of a hospital or hospital system, and the material change transaction would not result in: Reducing access to health services, including reproductive health care services, end-of-life care services, and gender-affirming health care services, if appropriate; worsening health care outcomes; and increasing consumers' health care costs; the written notice provided by the parties, as required by RCW 19.390.030, must include:

(a) The information and documentation required under subsection (1)(a) through (d) of this section; and

(b) Documentation describing how the parties will address health care access, outcomes, and costs and how the material change transaction will likely impact the delivery and cost of health-related services to the community and help to address health inequities.

(4)"

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

Senators Cleveland, Rivers and Mullet spoke in favor of adoption of the amendment to the striking amendment.

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

The President declared the question before the Senate to be the adoption of amendment no. 584 by Senator Cleveland on page 6, line 38 to striking amendment no. 557.

The motion by Senator Cleveland did not carry and amendment no. 584 was not adopted by a rising vote.

MOTION

Senator Holy moved that the following amendment no. 610 by Senator Holy be adopted:

On page 6, line 38, after "(3)" insert "(a)"

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

On page 7, line 2, after "include" insert "the following information, unless the attorney general and parties agree to narrow the scope of information needed relevant to the material change transaction"

On page 11, after line 33, insert the following:

"(b) When documents are available from a publicly available source, the parties may indicate the public availability to the attorney general rather than providing the documents directly."

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

Senators Randall and Rivers spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 610 by Senator Holy on page 6, line 38 to striking amendment no. 557.

The motion by Senator Holy did not carry and amendment no. 610 was not adopted by voice vote.

MOTION

Senator Muzzall moved that the following amendment no. 609 by Senator Muzzall be adopted:

Beginning on page 7, line 3, after "(a)" strike everything through "transaction" on page 11, line 33, and insert "The information and documentation required under subsection (1)(a) through (d) of this section:

(b) A copy of the material change transaction agreements;

(c) A copy of the organizational charts of the parties to the transaction and proposed organizational charts, if any, for after the closing of the transaction;

(d) Financial statements for the prior three fiscal years;

(e) If applicable, a copy of the notification and report form submitted to the federal trade commission and United States department of justice under the Hart-Scott-Rodino Act of 1976, and all rules and regulations promulgated thereunder, and any attachments thereto;

(f) If applicable, a statement from each of the parties' board of directors that explains the anticipated effect the material change transaction will likely have on delivery and cost of health-related services to the communities impacted by the material change transaction, and the basis for this opinion;

(g) If applicable, a copy of the two most recent community health needs assessments or any similar evaluations or assessments prepared by or for any entities that are the subject of the material change transaction;

(h) If applicable, a description of all charity care provided in the last three years, as well as denials, and the projected charity care for three years following the material change transaction by the parties to the material change transaction, or any successor persons. This description must include:

(i) Annual total charity care spending;

(ii) A description of how the amount of charity care spending was calculated;

(iii) The number of charity care denials and reasons for denial; and

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(iv) A description of the policies, procedures, and eligibility requirements for the provision of charity care;

(i) If applicable, a description of the health care services currently provided at each hospital, hospital system, or provider organization that is the subject of the material change transaction;

(j) If applicable, a description of all services provided in the past three years by each hospital, hospital system, and provider organization that is the subject of the material change transaction to apple health patients, qualified health plan patients, and indigent patients;

(k) If applicable, all policies, procedures, and other training materials related to registration, admission, and collections, including upfront, point-of-service, and postservice billing and collections;

(l) If applicable, any updates to the following current policies for any hospital and, to the extent they exist, the following current policies for any party to the material change transaction that is the subject of the material change transaction: (i) Admission policies; (ii) nondiscrimination policies; (iii) end-of-life policies; (iv) reproductive health policies; and (v) the reproductive health care services form as required under RCW 70.41.520;

(m) If applicable, the following proposed policies that will apply after the material change transaction for any hospital or provider organization that is the subject of the material change transaction: (i) Admission policies; (ii) nondiscrimination policies; (iii) end-of-life policies; (iv) reproductive health policies; and (v) for hospitals, the reproductive health care services form as required under RCW 70.41.520;

(n) If applicable, and to the extent they exist, any policies concerning the information and referrals medical providers are required to provide or are restricted from providing to patients regarding end-of-life care, including services provided in accordance with chapter 70.245 RCW;

(o) If applicable, if the material change transaction will have any impact on reproductive health care services provided by any hospital, hospital system, or provider organization that is the subject of the material change transaction, or any impact on the availability or accessibility of reproductive health care services in Washington state, a description of the reproductive health care services provided in the last three years by each hospital, hospital system, or provider organization that is the subject of the material change transaction and a description of the effect the material change transaction will have on available reproductive health care services. This description must include the types and aggregate number of reproductive services provided in the last three years and those proposed to be provided after the material change transaction, including, but not limited to, information about contraception provision, pregnancy terminations, tubal ligations, and fertility treatments provided, and a description of how this information was compiled;

(p) If applicable, if the material change transaction will have any impact on end-of-life health care services provided by any hospital, hospital system, or provider organization that is the subject of the material change transaction, including services provided in accordance with chapter 70.245 RCW, or any impact on the availability or accessibility of end-of-life health care services in Washington state, including services provided in accordance with chapter 70.245 RCW, a description of the end-of-life health care services provided in the last three years by each hospital, hospital system, or provider organization that is the subject of the material change transaction and a description of the effect the material change transaction will have on available end-of-life care services. This description must include the types and aggregate number of end-of-life services provided in the last three years and those proposed to be provided after the material change

transaction including, but not limited to, information about the number of occasions in which doctors served as consulting or attending physicians at the hospital, hospital system, or provider organization under chapter 70.245 RCW, a description of the end-of-life health care services expected to be available at the hospitals, hospital systems, or provider organizations that are the subject of the material change transaction, and a description of how this information was compiled;

(q) If applicable, if the material change transaction will have any impact on gender-affirming health care services provided by any hospital, hospital system, or provider organization that is the subject of the material change transaction, or any impact on the availability or accessibility of gender-affirming health care services in Washington state, a description of all gender-affirming health care services provided in the last three years by each hospital, hospital system, or provider organization that is the subject of the material change transaction and a description of the effect the material change transaction will have on available gender-affirming care. This description must include the types and aggregate numbers of gender-affirming health care provided in the last three years and those proposed to be provided after the material change transaction including, but not limited to, facial gender-affirming care, body gender-affirming care, and primary sex characteristics care, and a description of how this information was compiled;

(r) A description of any anticipated changes in health care services provided by any party to the material change transaction after the transaction is completed. If anticipated alterations include a reduction, relocation, or elimination of a service, the following information should be included: (i) The need the population presently has for the service; and (ii) how the need will be adequately met by the proposed alteration or alternative arrangements designed to meet the identified need;

(s) A description of each measure proposed by the parties to mitigate or eliminate any potential adverse effect on the availability or accessibility of health care services to the affected communities that may result from the material change transaction;

(t) A description of any changes to sexual assault nurse examiner and forensic nurse examiner programs after the material change transaction at any hospital, hospital system, or provider organization that is the subject of the material change transaction and any measures proposed by the parties to mitigate or eliminate any potential adverse effects to these programs;

(u) A description of any community benefit program provided by any of the parties to the material change transaction during the past three years with an annual cost of at least \$10,000 and the annual cost of each program for the past five years;

(v) If applicable, a description of current policies and procedures on staffing for patient care areas; employee input on health quality and staffing issues; and employee wages, salaries, benefits, working conditions, and employment protections. This description must include a list of all existing staffing plans, policy and procedure manuals, employee handbooks, collective bargaining agreements, or similar employment-related documents;

(w) If applicable, all existing documents setting forth any guarantees made by any entity that would be taking over operation or control of a party to the material change transaction relating to employee job security and retraining, or the continuation of current staffing levels and policies, employee wages, salaries, benefits, working conditions, and employment protections;

(x) A statement as to whether, after the material change transaction, neutrality will be maintained through all

communications and usage of funds regarding nonunion employees forming a union;

(y) For each hospital, hospital system, or provider organization that is the subject of the material change transaction, a statement as to whether any successor of the employer or union will be bound to any existing union certification and any existing collective bargaining agreement;

(z) A description of current debt collection practices and a description of any anticipated changes to debt collection practices following the material change transaction;

(aa) If applicable, a detailed statement and documents relating to the parties' plans for existing provider privileges after the material change transaction;

(bb) A detailed statement and documents relating to the parties' plans for ensuring safeguards to avoid conflict of interest in patient referral after the material change transaction;

(cc) A detailed statement and documents relating to the parties' commitment and plans to provide health care to the disadvantaged, the uninsured, and the underinsured, and how benefits to promote improved health in the affected community will be provided after the material change transaction; and

(dd) A list of the primary languages spoken by patients in the service area that is the subject of the material change transaction"
Correct any internal references accordingly.

Senators Muzzall and Randall spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 609 by Senator Muzzall on page 7, line 3 to striking amendment no. 557.

The motion by Senator Muzzall carried and amendment no. 609 was adopted by voice vote.

MOTION

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

Beginning on page 11, line 34, strike all of subsection (4) and insert the following:

"(4)(a) The attorney general, for good cause shown, may provide emergency review for a material change transaction if the attorney general finds that:

(i) There is an emergency situation including, but not limited to, a public health emergency which immediately threatens health care services; or

(ii) The material change transaction is urgently needed to protect the interest of consumers and to preserve the solvency of an entity.

(b)(i) In providing emergency review due to an emergency circumstance, the attorney general may limit the information otherwise required by subsection (3) of this section for the sole purpose of expediting the review process, however, the attorney general shall post public information on the attorney general's website and the parties shall provide notice as follows:

(A) Through publication in a newspaper of general circulation in the communities that will be impacted by the material change transaction;

(B) At the public entrance and on the bulletin board designated for legal or public notices of the entity that is the subject of the material change transaction;

(C) Prominently on the website available to the public of any entity that is the subject of the material change transaction; and

(D) On the website available to the employees of any entity that is the subject of the material change transaction.

(ii) The notices must be provided in English and in the

languages spoken by at least 10 percent of the population of the county or counties in which the entities that are the subject of the material change transaction are located.

(c) An applicant for emergency review shall provide the attorney general the following information which shall be subject RCW 19.390.070 regarding the availability of records:

(i) A detailed explanation of the grounds for the application, including a complete statement of the facts, circumstances, and conditions which justify emergency exemption as well as the conditions necessitating immediate relief;

(ii) A detailed explanation of all the terms, conditions, and agreements that comprise the material change transaction and the manner in which such terms, conditions, and agreements will respond to the conditions necessitating emergency consideration of the exemption application;

(iii) A detailed explanation of why time is of the essence and an emergency review is required and the reasons why the material change transaction is in the public interest and in the interest of those consumers and markets that are or will be served by the parties following closing of the material change transaction;

(iv) Such additional information, documents, and analysis as the attorney general may require in order to evaluate the application and the asserted grounds for emergency review; and

(v) An undertaking by the parties to make such further filings with, and submit such further information to and to cooperate with and assist the attorney general, as applicable, in conducting such further investigations, hearings, and examinations, as may be required following the allowance of emergency review for the material change transaction.

(d) If the attorney general determines an emergency review is not warranted, the material change transaction shall be subject to preliminary or comprehensive review and oversight required under this chapter.

(e) If the attorney general approves a material change transaction pursuant to this section, the transaction remains subject to oversight required by this chapter."

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

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

The President declared the question before the Senate to be the adoption of amendment no. 601 by Senator Rivers on page 11, line 34 to striking amendment no. 557.

The motion by Senator Rivers did not carry and amendment no. 601 was not adopted by a rising vote.

MOTION

Senator Padden moved that the following amendment no. 605 by Senator Padden be adopted:

On page 12, beginning on line 15, strike all of subsection (5) Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senators Padden, Short and Rivers spoke in favor of adoption of the amendment to the striking amendment.

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

The President declared the question before the Senate to be the adoption of amendment no. 605 by Senator Padden on page 12, line 15 to striking amendment no. 557.

The motion by Senator Padden did not carry and amendment no. 605 was not adopted by voice vote.

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MOTION

Senator Padden moved that the following amendment no. 603 by Senator Padden be adopted:

On page 13, at the beginning of line 30, strike "15" and insert "one"

On page 13, beginning on line 30, after "transaction" strike all material through "general" on line 31

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

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

The President declared the question before the Senate to be the adoption of amendment no. 603 by Senator Padden on page 13, line 30 to striking amendment no. 557.

The motion by Senator Padden did not carry and amendment no. 603 was not adopted by a rising vote.

MOTION

Senator Braun moved that the following amendment no. 614 by Senator Braun be adopted:

On page 13, beginning on line 32, after "(1)" strike all material through "solvency." on page 14, line 28 and insert "No material change transaction under this chapter may take place if it would detrimentally affect the continued existence of accessible, affordable health care in Washington state or the affected community for at least six years after the transaction occurs. To this end, the material change transaction or steps taken to mitigate the impacts of the transaction must result in the affected communities having the same or greater access to quality, affordable care including, but not limited to, emergency care, primary care, reproductive health care, gender affirming care, and end-of-life care including services provided in accordance with chapter 70.245 RCW.

(2) The material change transaction must also result in:

(a) Reducing, stabilizing, or holding the growth in patient and health plan sponsor costs to regular rates of medical inflation;

(b) Maintaining or increasing access to services in medically underserved areas;

(c) Rectifying historical and contemporary factors contributing to a lack of health equities or access to services; or

(d) Maintaining or improving health outcomes for residents of this state or the community served.

(3) The attorney general shall also consider whether the material change transaction:

(a) Results in the revocation of privileges to the extent such reductions would diminish patients' access to quality care. The health provider may revoke privileges due to quality of care and patient safety concerns even if doing so limits access to care. The health care provider must establish sufficient safeguards to maintain appropriate capacity for health provider education;

(b) Results in a reduction in staffing capacity for the provision of medically necessary services to the extent such reductions would diminish patients' access to quality care;

(c) Is substantially likely to negatively impact the labor market by lowering wages, slowing wage growth, or worsening benefits or other working conditions;

(d) Is substantially likely to result in or further entrench a dominant market position in the relevant market of one or more entity to the material change transaction; or

(e) Is part of a series of similar transactions involving one or

more entity to the material change transaction that is substantially likely to result in consolidation in the relevant market.

(4) In determining whether a material change transaction fulfills the requirements of subsections (1) through (3) of this section, the attorney general shall take into consideration whether the material change transaction is necessary to maintain the solvency of an entity involved in the transaction. In making the determination, the attorney general must consider possible alternatives to the material change transaction, and the likely impact of those alternatives, if implemented, on the entity's solvency.

(5) Unless the attorney general concludes after conducting a comprehensive review that there is a substantial likelihood that the material change transaction will not meet the requirements of subsections (1) through (3) of this section, the material change transaction must be approved with no conditions."

Senators Braun, MacEwen and Mullet spoke in favor of adoption of the amendment to the striking amendment.

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

MOTION

Senator Braun demanded a roll call.

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

The President declared the question before the Senate to be the adoption of the amendment no. 614 by Senator Braun on page 13, line 32 to striking amendment no. 557.

ROLL CALL

The Secretary called the roll on the adoption of the amendment no. 614 by Senator Braun and the amendment was not adopted by the following vote: Yeas, 22; Nays, 27; Absent, 0; Excused, 0.

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

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

MOTION

Senator Braun moved that the following amendment no. 613 by Senator Braun be adopted:

Beginning on page 18, line 22, after "(1)" strike all material through "act" on page 19, line 2 and insert "For any material change transaction included under RCW 19.390.040(3), that is not limited to the preliminary review under section 10 of this act or being reviewed under the emergency review process pursuant to RCW 19.390.040(4) the attorney general may, in consultation with the secretary of health, hire an expert independent contractor to prepare a health equity assessment if, in the opinion of the attorney general and secretary of health, an assessment is necessary based on the likely negative impact of the transaction on the elements in subsection (3) of this section. The independent contractor shall be screened for any conflicts of interest in advance, agree to maintain confidentiality of information

pursuant to this act, agree to charge a reasonable market rate fee, and have necessary experience and expertise in health planning, economics, operations, and financial analysis. In creating a health equity assessment, the independent contractor must engage with and provide input in the assessment from the department of health, local public health jurisdictions, emergency health care coalitions, health care entities, public health experts, organizations representing employees of the applicant, health care advocates, community members who reside in the service areas of the parties to the material change transaction, the parties to the material change transaction, and other individuals or organizations the attorney general, secretary of health, or independent consultant determine should be consulted. Any assessment conducted under this section must be completed 30 days prior to the attorney general's deadline to complete a review under section 10 of this act."

On page 20, line 13, after "(j)" strike "An" and insert "In consultation with the department of health, an"

On page 20, at the beginning of line 15, strike "with specific input from the department of health"

On page 21, line 3, after "to" insert "approve,"

On page 21, line 4, after "modifications" insert ",,"

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

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

The President declared the question before the Senate to be the adoption of amendment no. 613 by Senator Braun on page 18, line 22 to striking amendment no. 557.

The motion by Senator Braun did not carry and amendment no. 613 was not adopted by voice vote.

MOTION

Senator Boehnke moved that the following amendment no. 612 by Senator Boehnke be adopted:

On page 22, beginning on line 6, strike all of subsections (2) and (3) and insert the following:

"(2)(a) For material change transactions limited to the preliminary review under section 10 of this act or reviewed under the emergency review process pursuant to RCW 19.390.040(4), for at least three years, the attorney general shall monitor the parties' and any successor persons' ongoing compliance with this chapter.

(b) For material change transactions subject to comprehensive review, for at least six years, the attorney general shall monitor the parties' and any successor persons' ongoing compliance with this chapter.

(3)(a) For material change transactions limited to the preliminary review under section 10 of this act or reviewed under the emergency review process pursuant to RCW 19.390.040(4), the attorney general shall, for three years, require annual reports from the parties to the material change transaction or any successor persons to ensure compliance with section 9 of this act and any conditions or modifications the attorney general imposed on the material change transaction. The attorney general may request information and documents and conduct on-site compliance audits.

(b) For material change transactions subject to comprehensive review, the attorney general shall, for six years, require annual reports from the parties to the material change transaction or any successor persons to ensure compliance with section 9 of this act and any conditions or modifications the attorney general imposed on the material change transaction. The attorney general may

request information and documents and conduct on-site compliance audits."

On page 23, beginning on line 6, strike all of subsection (9) and insert the following:

"(9) The attorney general may bill the parties or successor persons and the parties or successor billed by the attorney general shall promptly pay. If the parties or successor fail to pay within 60 days, the attorney general may assess a civil fine of a rate of one percent of the delinquent amount per month the party does not pay."

Senators Boehnke, Short and Rivers spoke in favor of adoption of the amendment to the striking amendment.

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

The President declared the question before the Senate to be the adoption of amendment no. 612 by Senator Boehnke on page 22, line 6 to striking amendment no. 557.

The motion by Senator Boehnke did not carry and amendment no. 612 was not adopted by voice vote.

MOTION

Senator Fortunato moved that the following amendment no. 606 by Senator Fortunato be adopted:

On page 23, after line 2, strike all of subsections (8) and (9) Correct any internal references accordingly.

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

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

The President declared the question before the Senate to be the adoption of amendment no. 606 by Senator Fortunato on page 23, after line 2 to striking amendment no. 557.

The motion by Senator Fortunato did not carry and amendment no. 606 was not adopted by voice vote.

MOTION

Senator Padden moved that the following amendment no. 604 by Senator Padden be adopted:

On page 25, beginning on line 4, after "general" strike all material through "RCW and" on line 5

Senators Padden and Rivers spoke in favor of adoption of the amendment to the striking amendment.

Senators Dhingra and Trudeau spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 604 by Senator Padden on page 25, line 4 to striking amendment no. 557.

The motion by Senator Padden did not carry and amendment no. 604 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following amendment no. 608 by Senator Wagoner be adopted:

On page 26, line 32, after "effect" strike "January" and insert "July"

Senators Wagoner and Short spoke in favor of adoption of the

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amendment to the striking amendment.

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

The President declared the question before the Senate to be the adoption of amendment no. 608 by Senator Wagoner on page 26, line 32 to striking amendment no. 557.

The motion by Senator Wagoner did not carry and amendment no. 608 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 557 by Senator Randall as amended to Senate Bill No. 5241.

The motion by Senator Randall carried and striking amendment no. 557 as amended was adopted by a rising vote.

MOTION

On motion of Senator Randall, the rules were suspended, Engrossed Senate Bill No. 5241 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senators Fortunato, Warnick, King, Short, Wagoner, Wilson, J., Padden, Mullet, Torres and Wilson, L. spoke against passage of the bill.

MOTION

At 6:15 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the purposes of a brief rostrum break.

The Senate was called to order at 6:26 p.m. by the President of the Senate, Lt. Governor Heck presiding.

The Senate resumed consideration of Engrossed Senate Bill No. 5241 which had been on third reading and final passage.

Senator Trudeau spoke in favor of passage of the bill.

Senators Rivers, Dozier, MacEwen, Braun, and Muzzall spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5241.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5241 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, Hansen, Hasegawa, Hunt, Kauffman, Keiser, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, 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, Short, Torres, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 5241, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of

the act.

SECOND READING

SENATE BILL NO. 5968, by Senators Stanford, Dhingra, Frame, Hasegawa, Kuderer, Saldaña, Trudeau, Valdez, and Wilson, C.

Regulating home equity sharing agreements under the consumer loan act.

MOTIONS

On motion of Senator Stanford, Substitute Senate Bill No. 5968 was substituted for Senate Bill No. 5968 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5968, by Senate Committee on Business, Financial Services, Gaming & Trade (originally sponsored by Stanford, Dhingra, Frame, Hasegawa, Kuderer, Saldaña, Trudeau, Valdez, and Wilson, C.)

Senator Stanford moved that the following amendment no. 559 by Senator Stanford be adopted:

On page 7, line 34, after "equity in" insert "the real estate that is"

On page 7, line 35, after "dwelling" insert "at the time"

Beginning on page 7, line 37, strike all of section 2

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

Beginning on page 12, line 6, strike all of section 4

On page 1, beginning on line 2 of the title, after "31.04.015" strike ", 31.04.027, 31.04.102, and 31.04.105" and insert "and 31.04.102"

Senator Stanford spoke in favor of adoption of the amendment.

Senator Dozier spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 559 by Senator Stanford on page 7, line 34 to Substitute Senate Bill No. 5968.

The motion by Senator Stanford carried and amendment no. 559 was adopted by voice vote.

MOTION

Senator Dozier moved that the following striking amendment no. 558 by Senator Dozier be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) The department of financial institutions shall conduct a study on home equity sharing agreements that reviews the need for regulation along with potential recommendations for future regulation or legislation. The study shall:

(a) Include data and information on home equity sharing agreements that provides an understanding of how these agreements are being used, how many are being used, and who is using them;

(b) Review how home equity sharing agreements are advertised and marketed to consumers;

(c) Identify a potential licensing structure for persons or businesses that offer home equity sharing agreements;

(d) Review the disclosures and contracts provided to

homeowners who consider or enter into a home equity sharing agreement;

(e) Review how the home equity sharing agreement market currently uses discounts, exchange ratios, or other mechanisms for embedded returns;

(f) Identify the need for potential caps or limits on equity returns;

(g) Identify the need for prohibiting certain practices related to home equity sharing agreements; and

(h) Evaluate the potential impact to the home equity sharing agreement market if potential regulations are implemented.

(2) The department of financial institutions shall consult with members from the home equity sharing agreement industry, consumers, and others as necessary to conduct the study and develop recommendations.

(3) The department of financial institutions shall submit a report to the appropriate committees of the legislature in accordance with RCW 43.01.036 by December 1, 2024, with the department's recommendations regarding regulations for the home equity sharing agreement market.

(4) This section expires August 1, 2025."

On page 1, line 2 of the title, after "act;" strike the remainder of the title and insert "creating a new section; and providing an expiration date."

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

Senator Stanford spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 558 by Senator Dozier to Substitute Senate Bill No. 5968.

The motion by Senator Dozier did not carry and striking amendment no. 558 was not adopted by voice vote.

MOTION

On motion of Senator Stanford, the rules were suspended, Engrossed Substitute Senate Bill No. 5968 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stanford spoke in favor of passage of the bill.

Senator Dozier 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. 5968.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5968 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

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

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5968, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5908, by Senators Wilson, C., Frame, Billig, Dhingra, Hasegawa, Hunt, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Stanford, Trudeau, and Valdez

Providing extended foster care services to youth ages 18 to 21.

MOTIONS

On motion of Senator Wilson, C., Second Substitute Senate Bill No. 5908 was substituted for Senate Bill No. 5908 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5908, by Senate Committee on Ways & Means (originally sponsored by Wilson, C., Frame, Billig, Dhingra, Hasegawa, Hunt, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Stanford, Trudeau, and Valdez)

Senator Wilson, C. moved that the following amendment no. 574 by Senator Wilson, C. be adopted:

On page 7, line 7, after "payment" strike all material through "(v)" on line 10

On page 13, line 4, after "payment" strike all material through "(v)" on line 7

On page 21, line 10, after "(4)" strike all material through "care" on line 15 and insert "The department shall develop a program to make incentive payments to youth in extended foster care who participate in qualifying activities described in RCW 74.13.031(12)(b) (i) through (v). This program design must include stakeholder engagement from impacted communities. Subject to appropriations for this specific purpose, the department shall make incentive payments to qualifying youth in addition to the supervised independent living subsidy, beginning by July 1, 2025"

Senators Wilson, C. and Boehnke spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 574 by Senator Wilson, C. on page 7, line 7 to Second Substitute Senate Bill No. 5908.

The motion by Senator Wilson, C. carried and amendment no. 574 was adopted by voice vote.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Engrossed Second Substitute Senate Bill No. 5908 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, C. and Boehnke 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. 5908.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5908 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 12; Absent, 0;

Excused, 0.

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

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Hawkins, Holy, MacEwen, McCune, Padden, Short, Wagoner and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5908, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5774, by Senators Billig, Hawkins, Wilson, C., Wellman, Dozier, Frame, Kuderer, Lovick, Mullet, Nguyen, Nobles, Padden, Salomon, and Shewmake

Increasing the capacity to conduct timely fingerprint-based background checks for prospective child care employees and other programs.

MOTIONS

On motion of Senator Billig, Substitute Senate Bill No. 5774 was substituted for Senate Bill No. 5774 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5774, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Billig, Hawkins, Wilson, C., Wellman, Dozier, Frame, Kuderer, Lovick, Mullet, Nguyen, Nobles, Padden, Salomon, and Shewmake)

On motion of Senator Billig, the rules were suspended, Substitute Senate Bill No. 5774 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5774.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5774 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, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, 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. 5774, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of

the act.

SECOND READING

SENATE BILL NO. 5660, by Senators Boehnke, Dhingra, Saldaña, Wellman, and Wilson, C.

Establishing a mental health advance directive effective implementation work group; creating a new section; and providing an expiration date.

MOTIONS

On motion of Senator Boehnke, Second Substitute Senate Bill No. 5660 was substituted for Senate Bill No. 5660 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5660, by Committee on Ways & Means (originally sponsored by Senators Boehnke, Dhingra, Saldaña, Wellman, and C. Wilson)

Revised for Second Substitute: Establishing a mental health advance directive effective implementation work group.

On motion of Senator Pedersen, the rules were suspended, Second Substitute Senate Bill No. 5660 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5660.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5660 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, 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 Padden

SECOND SUBSTITUTE SENATE BILL NO. 5660, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6264, by Senators Wellman, Hasegawa, Nobles, Saldaña, and Wilson, C.

Supporting the implementation of competency-based education.

MOTIONS

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

SUBSTITUTE SENATE BILL NO. 6264, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Wellman, Hasegawa, Nobles, Saldaña, and Wilson, C.)

Senator Wellman moved that the following amendment no. 589 by Senator Wellman be adopted:

On page 4, line 4, after "instruction." insert "the Washington student achievement council."

Senators Wellman and Hawkins spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 589 by Senator Wellman on page 4, line 4 to Substitute Senate Bill No. 6264.

The motion by Senator Wellman carried and amendment no. 589 was adopted by voice vote.

MOTION

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

Senators Wellman and Hawkins spoke in favor of passage of the bill.

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

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6264 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

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

Voting nay: Senators Boehnke, McCune, Padden and Wilson, L.

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

SECOND READING

SENATE BILL NO. 5849, by Senators Wellman, Nobles, Boehnke, Frame, Hasegawa, Hunt, Kuderer, Nguyen, Shewmake, Trudeau, and Wilson, C.

Concerning a computer science competency graduation requirement.

MOTIONS

On motion of Senator Wellman, Second Substitute Senate Bill No. 5849 was substituted for Senate Bill No. 5849 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 5849, by Senate Committee on Ways & Means (originally sponsored by Wellman, Nobles, Boehnke, Frame, Hasegawa, Hunt, Kuderer, Nguyen, Shewmake, Trudeau, and Wilson, C.)

Senator Hasegawa moved that the following amendment no. 587 by Senator Hasegawa be adopted:

On page 2, line 23, after "The" strike "state board of education" and insert "office of the superintendent of public instruction"

On page 2, at the beginning of line 32, strike "state board of education" and insert "office of the superintendent of public instruction"

Senators Hasegawa and Hawkins spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 587 by Senator Hasegawa on page 2, line 23 to Second Substitute Senate Bill No. 5849.

The motion by Senator Hasegawa carried and amendment no. 587 was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5849 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5849.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5849 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, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Short, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Schoesler, Warnick and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5849, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6108, by Senators King, Stanford, and Mullet

THIRTY SECOND DAY, FEBRUARY 8, 2024

2024 REGULAR SESSION

Addressing retainage on private construction projects.

MOTIONS

On motion of Senator King, Substitute Senate Bill No. 6108 was substituted for Senate Bill No. 6108 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 6108, by Senate Committee on Labor & Commerce (originally sponsored by King, Stanford, and Mullet)

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 6108 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6108.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6108 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, Hansen, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, 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. 6108, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 7:57 p.m., on motion of Senator Pedersen, the Senate adjourned until 10 o'clock a.m. Friday, February 9, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

1153		2062	
Introduction & 1st Reading.....	1	Introduction & 1st Reading.....	2
1377-SE2		2074	
Introduction & 1st Reading.....	1	Messages.....	1
Messages.....	1	2086-S	
1508-SE2		Messages.....	1
Introduction & 1st Reading.....	1	2097-S	
Messages.....	1	Messages.....	1
1510-SE		2120	
Messages.....	1	Messages.....	1
1541-S2E2		2165-S	
Introduction & 1st Reading.....	1	Introduction & 1st Reading.....	2
Messages.....	1	2182-S	
1714-E		Introduction & 1st Reading.....	3
Introduction & 1st Reading.....	2	2226-S	
1800-S		Messages.....	1
Introduction & 1st Reading.....	2	2260	
1890		Introduction & 1st Reading.....	3
Introduction & 1st Reading.....	2	2335-S	
Other Action.....	3	Messages.....	1
1911-S		2371	
Introduction & 1st Reading.....	2	Messages.....	1
1924-S		5241	
Introduction & 1st Reading.....	2	Other Action.....	21
1949		Second Reading	13, 21, 22, 24, 25, 26
Messages.....	1	5241-E	
1958		Other Action.....	27
Messages.....	1	Third Reading Final Passage	27
1976		5306-S	
Messages.....	1	Third Reading	5
1978		Third Reading Final Passage	5
Introduction & 1st Reading.....	2	5660	
1979-S		Second Reading	29
Introduction & 1st Reading.....	2	5660-S2	
1985-S		Second Reading	29
Introduction & 1st Reading.....	2	Third Reading Final Passage	29
1986		5774	
Introduction & 1st Reading.....	2	Second Reading	29
1998-SE		5774-S	
Messages.....	1	Second Reading	29
2004		Third Reading Final Passage	29
Messages.....	1	5784	
2045-S		Second Reading	11
Messages.....	1	5784-S2	
2048-S		Second Reading	11
Introduction & 1st Reading.....	2	Third Reading Final Passage	11
2059		5802	
Messages.....	1	Second Reading	12

5802-S	Third Reading Final Passage	28
Second Reading		12
Third Reading Final Passage		12
5818		
Second Reading		9
Third Reading Final Passage		9
5838		
Second Reading		12
5838-S2		
Second Reading		12
5838-S2E		
Third Reading Final Passage		12
5849		
Second Reading		30
5849-S2		
Second Reading		30
5849-S2E		
Third Reading Final Passage		30
5852		
Second Reading		5
Third Reading Final Passage		5
5882		
Second Reading		8
5882-S2		
Second Reading		8
Third Reading Final Passage		9
5885		
Second Reading		5
Third Reading Final Passage		5
5897		
Second Reading		5
Third Reading Final Passage		5
5908		
Second Reading		28
5908-S2		
Second Reading		28
5908-S2E		
Third Reading Final Passage		28
5953		
Second Reading		11
5953-S		
Second Reading		11
Third Reading Final Passage		11
5968		
Second Reading		27
5968-S		
Second Reading		27
5968-SE		
Third Reading Final Passage		28
5973		
Second Reading		7
5973-S		
Second Reading		8
5973-SE		
Third Reading Final Passage		8
5986		
Second Reading		8
5986-S		
Second Reading		8
Third Reading Final Passage		8
6020		
Second Reading		9
6020-S		
Second Reading		9
Third Reading Final Passage		9
6080		
Second Reading		6
Third Reading Final Passage		6
6098		
Other Action.....		3
Second Reading		10
6098-E		
Third Reading Final Passage		11
6108		
Second Reading		30
6108-S		
Second Reading		31
Third Reading Final Passage		31
6148		
Second Reading		9
Third Reading Final Passage		10
6197		
Second Reading		6
6197-S		
Second Reading		6
Third Reading Final Passage		6
6264		
Second Reading		29
6264-S		
Second Reading		30
6264-SE		
Third Reading Final Passage		30
6283		
Second Reading		6
Third Reading Final Passage		7
6301		

Second Reading	7	Confirmed	4
6301-S		9245 Hinojos, Angela	
Second Reading	7	Confirmed	4
Third Reading Final Passage	7	CHAPLAIN OF THE DAY	
6308		Lyro, Pastor Tito, The Bible Presbyterian	
Second Reading	7	Church, Olympia.....	1
Third Reading Final Passage	7	FLAG BEARERS	
8668		Alm, Miss Maya.....	1
Adopted.....	3	Devine, Miss Cecilia.....	1
Introduced	3	GUESTS	
9171 Scheibmeir, Mark		Hazelwood Elementary School students,	
Confirmed	3	Newcastle	6, 7, 8
9181 Miller, Cheryl		Living Hope Homeschool Co-op students....	3
Confirmed	4	Zavala, Mr. Isaac, Pledge of Allegiance	1
9201 Chandler, Gary			