

EIGHTY SECOND DAY, MARCH 31, 2023

2023 REGULAR SESSION

**EIGHTY SECOND DAY****MORNING SESSION**Senate Chamber, Olympia  
Friday, March 31, 2023

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

The Sergeant at Arms Color Guard consisting of Pages Miss Alexis Guebara and Miss Prabhnoor Kaur, presented the Colors. Page Mr. Bryce Kuykendall led the Senate in the Pledge of Allegiance.

The prayer was offered by Senator Rebecca Saldana, 37<sup>th</sup> Legislative District, Seattle.

**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 third order of business.

**MESSAGE FROM THE GOVERNOR**

March 30, 2023

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

Ladies and Gentlemen:

I have the honor to advise you that on March 30, 2023, Governor Inslee approved the following Senate Bills entitled:

Senate Bill No. 5036

Relating to extending the time frame in which real-time telemedicine using both audio and video technology may be used to establish a relationship for the purpose of providing audio- only telemedicine for certain health care services;

Senate Bill No. 5122

Relating to extending the expiration date of the ambulance transport fund;

Senate Bill No. 5003

Relating to increasing the number of district court judges in Snohomish county;

Senate Bill No. 5079

Relating to the date by which tuition operating fees are established;

Senate Bill No. 5394

Relating to malpractice insurance for international medical graduate supervisors;

Substitute Senate Bill No. 5005

Relating to real property;

Substitute Senate Bill No. 5121

Relating to the joint select committee on health care and behavioral health oversight;

Engrossed Substitute Senate Bill No. 5142

Relating to creating an account for the pharmaceutical rebate revenue generated by the purchase of medications for people living with HIV who are enrolled in the early intervention program;

Substitute Senate Bill No. 5275

Relating to expanding access to benefits provided by the school employees' benefits board;

Substitute Senate Bill No. 5490

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

Substitute Senate Bill No. 5033

Relating to reclassifying the sentence for the crime of custodial sexual misconduct;

Substitute Senate Bill No. 5729

Relating to removing the expiration date on the cost-sharing cap for insulin

Sincerely,

/s/

Drew Shirk, Executive Director of Legislative Affairs

**MESSAGES FROM THE GOVERNOR  
GUBERNATORIAL APPOINTMENTS**

March 23, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF  
WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CHRISTINE JOHNSON, appointed March 23, 2023, for the term ending September 30, 2027, as Member of the Eastern Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9342.

March 27, 2023

TO THE HONORABLE, THE SENATE OF THE STATE OF  
WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

NANCY J. YOUNG, appointed March 27, 2023, for the term ending January 4, 2029, as Member of the Personnel Resources Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9343.

**MOTIONS**

EIGHTY SECOND DAY, MARCH 31, 2023

On motion of Senator Pedersen, all appointees listed on the gubernatorial appointments report were referred to the committees as designated.

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

#### MOTION

Senator Fortunato moved adoption of the following resolution:

#### SENATE RESOLUTION 8615

By Senator Fortunato

WHEREAS, The Blessing Movement was founded in 2019 to foster and strengthen relationships between youth and senior citizens in the Sumner and Bonney Lake communities through service projects; and

WHEREAS, The Blessing Movement creates opportunities for High School students to volunteer their time to assist senior citizens, many with disabilities, on fixed incomes, veterans, or those facing terminal illness, especially in the form of yard-keep who would otherwise be challenged by such maintenance, helping improve their quality of life and pride of ownership; and

WHEREAS, In 2022, The Blessing Movement established a community builder project with Sumner-Bonney Lake School District called "Students Helping Seniors," which gives school clubs the ability to adopt a home for one year to assist with yard care needs; and

WHEREAS, High school students who take part in The Blessing Movement have the opportunity to earn community service hours, a valuable component toward postsecondary education scholarships; and

WHEREAS, The Blessing Movement currently provides assistance to 24 homes within the community with a team of 20 adult volunteers, four community-based program interns, three Elhi Hill High School Program students, 40 Bonney Lake High School National Honor Society students, and 10 Key Club students; and

WHEREAS, The Blessing Movement strives to instill a strong work ethic, a sense of teamwork, and a lifelong compassion for others in the community's youth, with now over 6,000 hours of service to the community annually; and

WHEREAS, The Blessing Movement would not be successful without the generous donations and volunteers from the Sumner-Bonney Lake communities; and

WHEREAS, The intergenerational engagement fostered by The Blessing Movement is intended to also help both senior citizens and students alike to feel a sense of community and belonging;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize The Blessing Movement, it's founder Kerry LeBleu, and their efforts within the Sumner-Bonney Lake communities to support aging residents, improve quality of life, and empower youth to serve their communities.

#### MOTION

On motion of Senator Nobles, Senators Randall, Rolfes, Saldaña and Trudeau were excused.

Senator Fortunato spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8615.

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

#### INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced Ms. Kerry LeBleu, Founder of the Blessing Movement; representatives of the Sumner-Bonney-Lake School District; students from Sumner-Bonney Lake area high schools; and Interns from the Sumner-Bonney-Lake Community Based Transition Program who were seated in the gallery.

#### MOTION

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

#### SECOND READING

HOUSE BILL NO. 1265, by Representatives Ramos, Goehner, Chapman, Robertson, Kloba, Chambers, Slatter, Callan, Donaghy, Ryu, Reeves, Chopp, Senn, Reed, Couture, Simmons, Fey, Jacobsen, Macri, Peterson, Ramel and Pollet

Establishing a property tax exemption for adult family homes that serve people with intellectual or developmental disabilities and are owned by a nonprofit.

The measure was read the second time.

#### MOTION

On motion of Senator Mullet, the rules were suspended, House Bill No. 1265 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

#### MOTION

On motion of Senator Wagoner, Senator Fortunato was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1265.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1265 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, 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, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Fortunato, Rolfes and Trudeau

HOUSE BILL NO. 1265, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 1287, by Representatives Thai, Caldier, Graham, Riccelli, Macri, Reed, Pollet and Leavitt

Concerning dental hygienists.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, House Bill No. 1287 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1287.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1287 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, 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, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Fortunato, Rolfes and Trudeau

HOUSE BILL NO. 1287, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Vice President Pro Tempore assumed the chair, Senator Lovick presiding.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1352, by House Committee on Local Government (originally sponsored by Stearns, Low, Cortes, Entenman, Couture, Ramel, Lekanoff, Pollet and Fosse)

Authorizing tribal investment in county investment pools.

The measure was read the second time.

MOTION

On motion of Senator Kauffman, the rules were suspended, Substitute House Bill No. 1352 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 1352.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1352 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

SUBSTITUTE HOUSE BILL NO. 1352, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1419, by Representatives Chapman and Goechner

Concerning county treasurers' duties.

The measure was read the second time.

MOTION

On motion of Senator Lovelett, the rules were suspended, House Bill No. 1419 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1419.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1419 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1419, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1620, by House Committee on Local Government (originally sponsored by Fey and Morgan)

Concerning the number of inhabitants required for incorporation as a city or town.

EIGHTY SECOND DAY, MARCH 31, 2023

The measure was read the second time.

#### MOTION

On motion of Senator Lovelett, the rules were suspended, Substitute House Bill No. 1620 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 1620.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1620 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Saldaña

Excused: Senator Trudeau

SUBSTITUTE HOUSE BILL NO. 1620, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 1017, by Representatives Ryu, Leavitt, Chambers, Simmons, Jacobsen, Reed, Graham, Lekanoff, Caldier, Timmons, Reeves, Tharinger, Springer, Thai, Santos and Riccelli

Expediting licensure for cosmetologists, hair designers, barbers, manicurists, and estheticians.

The measure was read the second time.

#### MOTION

On motion of Senator Keiser, the rules were suspended, House Bill No. 1017 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1017.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1017 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias,

Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1017, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1077, by House Committee on Civil Rights & Judiciary (originally sponsored by Thai, Walen, Simmons, Leavitt, Senn, Goodman and Santos)

Concerning courthouse facility dogs.

The measure was read the second time.

#### MOTION

On motion of Senator Dhingra, the rules were suspended, Substitute House Bill No. 1077 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 1077.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1077 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

SUBSTITUTE HOUSE BILL NO. 1077, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1088, by House Committee on Civil Rights & Judiciary (originally sponsored by Walen and Reeves)

Concerning the uniform family law arbitration act.

The measure was read the second time.

#### MOTION

On motion of Senator Dhingra, the rules were suspended, Substitute House Bill No. 1088 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 1088.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1088 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

SUBSTITUTE HOUSE BILL NO. 1088, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 1114, by Representatives Mosbrucker, Simmons, Reed and Goodman

Concerning the membership of the sentencing guidelines commission.

The measure was read the second time.

#### MOTION

Senator Padden moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9.94A.860 and 2016 c 179 s 3 are each amended to read as follows:

(1) The sentencing guidelines commission is hereby created, located within the office of financial management. Except as provided in RCW 9.94A.875, the commission shall serve to advise the governor and the legislature as necessary on issues relating to adult and juvenile sentencing. The commission may meet, as necessary, to accomplish these purposes within funds appropriated.

(2) The commission consists of ((twenty)) 25 voting members, one of whom the governor shall designate as ((chairperson)) chair. With the exception of ex officio voting members, the voting members of the commission shall be appointed by the governor, or his or her designee, subject to confirmation by the senate.

(3) The voting membership consists of the following:

(a) The head of the state agency having general responsibility for adult correction programs, as an ex officio member;

(b) The director of financial management or designee, as an ex

officio member;

(c) The chair of the indeterminate sentence review board, as an ex officio member;

(d) The head of the state agency, or the agency head's designee, having responsibility for juvenile corrections programs, as an ex officio member;

(e) Two prosecuting attorneys;

(f) Two attorneys with particular expertise in defense work;

(g) Four persons who are superior court judges;

(h) One person who is the chief law enforcement officer of a county or city;

(i) ((Four)) Five members of the public who are not prosecutors, defense attorneys, judges, or law enforcement officers, one of whom is a victim of crime, one of whom is a victim of crime or a crime victims' advocate, and one of whom has been formerly incarcerated in the state correctional system;

(j) One person who is an elected official of a county government, other than a prosecuting attorney or sheriff;

(k) One person who is an elected official of a city government;

(l) One person who is an administrator of juvenile court services;

(m) The chair of the state supreme court minority and justice commission or designee, as an ex officio member;

(n) One person representing the interests of tribes;

(o) One behavioral health professional with experience working in the criminal justice system; and

(p) One person with knowledge of and expertise in academic research in the field of criminology or sociology.

In making the appointments, the governor shall endeavor to assure that the commission membership includes adequate representation and expertise relating to both the adult criminal justice system and the juvenile justice system. In making the appointments, the governor shall seek the recommendations of Washington prosecutors in respect to the prosecuting attorney members, of the Washington state bar association in respect to the defense attorney members, of the superior court judges' association in respect to the members who are judges, of the Washington association of sheriffs and police chiefs in respect to the member who is a law enforcement officer, of the Washington state association of counties in respect to the member who is a county official, of the association of Washington cities in respect to the member who is a city official, of the office of crime victims advocacy and other organizations of crime victims in respect to the member who is a victim of crime or a crime victims' advocate, ((and)) of the Washington association of juvenile court administrators in respect to the member who is an administrator of juvenile court services, and of the Washington state institute for public policy and the relevant departments of the Washington State University and University of Washington in respect to the member with knowledge of and expertise in academic research in the field of criminology or sociology.

(4)(a) ((All)) Except as provided in (b) of this subsection, all voting members of the commission, except ex officio voting members, shall serve terms of three years and until their successors are appointed and confirmed.

(b) The governor shall stagger the initial terms of the members appointed under subsection (3)((j), (k), and (l)) (n), (o), and (p) of this section by appointing one of them for a term of one year, one of them for a term of two years, and one of them for a term of three years.

(5) The speaker of the house of representatives and the president of the senate may each appoint two nonvoting members to the commission, one from each of the two largest caucuses in each house. The members so appointed shall serve two-year terms, or until they cease to be members of the house from which

EIGHTY SECOND DAY, MARCH 31, 2023

they were appointed, whichever occurs first.

(6) The members of the commission may be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060. Legislative members may be reimbursed by their respective houses as provided under RCW 44.04.120. Except for the reimbursement of travel expenses, members shall not be compensated."

On page 1, line 2 of the title, after "commission;" strike the remainder of the title and insert "and amending RCW 9.94A.860."

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

The Vice President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to House Bill No. 1114.

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

#### MOTION

On motion of Senator Padden, the rules were suspended, House Bill No. 1114 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1114 as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1114 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Trudeau

HOUSE BILL NO. 1114, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1165, by House Committee on Civil Rights & Judiciary (originally sponsored by Orwall, Reeves, Wylie and Davis)

Concerning civil remedies for unauthorized disclosure of intimate images.

The measure was read the second time.

#### MOTION

On motion of Senator Dhingra, the rules were suspended, Substitute House Bill No. 1165 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 1165.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1165 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

SUBSTITUTE HOUSE BILL NO. 1165, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 1209, by Representatives Leavitt, Griffey, Fey, Bronoske and Davis

Restricting the possession, purchase, delivery, and sale of certain equipment used to illegally process controlled substances.

The measure was read the second time.

#### MOTION

On motion of Senator Dhingra, the rules were suspended, Engrossed House Bill No. 1209 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

#### MOTION

On motion of Senator Wagoner, Senator Schoesler was excused.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed House Bill No. 1209.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1209 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, Hasegawa,

Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

ENGROSSED HOUSE BILL NO. 1209, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 1290, by Representatives Lekanoff, Goodman, Ortiz-Self, Ramel, Leavitt and Ormsby

Concerning training for tribal police officers and employees.

The measure was read the second time.

#### MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 1290 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

#### MOTION

On motion of Senator Wagoner, Senator Schoesler was excused.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1290.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1290 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1290, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 1312, by Representatives Rude, Entenman, Goodman, Ortiz-Self and Ormsby

Concerning jury service.

The measure was read the second time.

#### MOTION

Senator Padden moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 2.36.100 and 2015 c 7 s 2 are each amended to read as follows:

(1) Except for a person who is not qualified for jury service under RCW 2.36.070 or who chooses to opt out of jury service under subsection (2) of this section, no person may be excused from jury service by the court except upon a showing of undue hardship, extreme inconvenience, public necessity, or any reason deemed sufficient by the court for a period of time the court deems necessary.

(2) A person who is 80 years of age or older may request to be excused from jury service if the person attests that the person is unable to serve due to health reasons. An attestation form must be developed by the court and may not include a requirement that a doctor's note be provided. This request must be granted by the court.

(3) At the discretion of the court's designee, after a request by a prospective juror to be excused, a prospective juror excused from juror service for a particular time may be assigned to another jury term within the twelve-month period. If the assignment to another jury term is made at the time a juror is excused from the jury term for which he or she was summoned, a second summons under RCW 2.36.095 need not be issued. This subsection does not apply to people excused from jury service under subsection (2) of this section.

((3)) (4) When the jury source list has been fully summoned within a consecutive twelve-month period and additional jurors are needed, jurors who have already served during the consecutive twelve-month period may be summoned again for service. A juror who has previously served may only be excused if he or she served at least one week of juror service within the preceding twelve months. An excuse for prior service shall be granted only upon the written request of the prospective juror, which request shall certify the terms of prior service. Prior jury service may include service in superior court, in a court of limited jurisdiction, in the United States District Court, or on a jury of inquest."

On page 1, line 2 of the title, after "service;" strike the remainder of the title and insert "and amending RCW 2.36.100."

Senators Padden, Dhingra and King spoke in favor of adoption of the committee striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to House Bill No. 1312.

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

#### MOTION

On motion of Senator Padden, the rules were suspended, House Bill No. 1312 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

EIGHTY SECOND DAY, MARCH 31, 2023

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1312 as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1312 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Trudeau

HOUSE BILL NO. 1312, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 1420, by Representatives Hackney, Corry, Walen and Ormsby

Concerning lien priority of mortgages and deeds of trust.

The measure was read the second time.

#### MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 1420 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 Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1420.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1420 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1420, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 1514, by Representatives Robertson, Berry, Schmidt, Ormsby, Doglio, Reed and Fosse

Addressing the purchase and distribution of insignia to manufacturers of recreational vehicles and/or park trailers.

The measure was read the second time.

#### MOTION

On motion of Senator Keiser, the rules were suspended, House Bill No. 1514 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1514.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1514 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1514, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 1542, by Representatives Bronoske, Fosse, Berry, Hackney, Abbarno, Griffey, Walsh, Ortiz-Self, Taylor, Ramel, Simmons, Jacobsen, Schmidt, Graham, Ormsby, Pollet, Kloba, Doglio, Bateman, Macri, Leavitt and Timmons

Requiring automated external defibrillators to be available and accessible when work is being performed on high voltage lines and equipment.

The measure was read the second time.

#### MOTION

Senator Saldaña moved that the following committee striking amendment by the Committee on Labor & Commerce be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 49.17 RCW to read as follows:

(1) Any employer with employees who operate, maintain, or construct high voltage lines and equipment or who conduct line-clearance tree trimming in close proximity to high voltage lines and equipment shall:

(a) Make an automated external defibrillator available and accessible to employees when work is being performed on, or in close proximity to, high voltage lines and equipment by two or



more employees;

(b) Conduct regular maintenance and annual inspections of the automated external defibrillator to ensure operability and availability; and

(c) Provide training or facilitate the provision of training to ensure there are at least two employees proficient on the proper and safe use of the automated external defibrillator at any site involving work on, or in close proximity to, high voltage lines and equipment. To be considered proficient, an employee must have completed initial or updated training within the previous two years.

(2) For the purposes of this section, "high voltage lines and equipment" refers to any energized communication line, electric supply line, or equipment with a voltage of 601 or greater.

**NEW SECTION. Sec. 2.** This act takes effect January 1, 2025."

On page 1, line 3 of the title, after "equipment;" strike the remainder of the title and insert "adding a new section to chapter 49.17 RCW; and providing an effective date."

Senator Saldaña spoke in favor of adoption of the committee striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Labor & Commerce to House Bill No. 1542.

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

**MOTION**

On motion of Senator Saldaña, the rules were suspended, House Bill No. 1542 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1542 as amended by the Senate.

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 1542 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Trudeau

HOUSE BILL NO. 1542, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SECOND READING**

HOUSE BILL NO. 1544, by Representatives Alvarado, Tharinger, Pollet and Duerr

Concerning shoreline master program review schedules.

The measure was read the second time.

**MOTION**

On motion of Senator Lovelett, the rules were suspended, House Bill No. 1544 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1544.

**ROLL CALL**

The Secretary called the roll on the final passage of House Bill No. 1544 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1544, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

**SECOND READING**

SUBSTITUTE HOUSE BILL NO. 1572, by House Committee on Civil Rights & Judiciary (originally sponsored by Springer and Orcutt)

Concerning venue for actions for the recovery of taxes.

The measure was read the second time.

**MOTION**

On motion of Senator Pedersen, the rules were suspended, Substitute House Bill No. 1572 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 1572.

**ROLL CALL**

The Secretary called the roll on the final passage of Substitute House Bill No. 1572 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, Hasegawa,

EIGHTY SECOND DAY, MARCH 31, 2023

Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

SUBSTITUTE HOUSE BILL NO. 1572, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 1645, by Representatives Barnard, Duerr, Connors, Riccelli, Cheney, Hutchins, McClintock, Chambers, McEntire, Sandlin, Eslick, Low, Street, Maycumber, Fitzgibbon, Macri, Reed, Rude, Lekanoff and Ramel

Concerning meetings of county legislative authorities.

The measure was read the second time.

#### MOTION

On motion of Senator Dozier, the rules were suspended, House Bill No. 1645 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1645.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1645 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator MacEwen

Excused: Senator Trudeau

HOUSE BILL NO. 1645, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 1656, by Representatives Schmidt, Fosse, Berry, Robertson, Christian, Ormsby and Riccelli

Concerning unemployment insurance benefits appeal procedures.

The measure was read the second time.

#### MOTION

On motion of Senator Braun, the rules were suspended, House Bill No. 1656 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1656.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1656 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1656, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### INTRODUCTION OF SPECIAL GUESTS

The Vice President Pro Tempore welcomed and introduced students from The Bear Creek School in Redmond who were seated in the gallery.

#### SECOND READING

HOUSE BILL NO. 1657, by Representatives Street, Cheney, Simmons, Taylor, Ormsby and Hutchins

Authorizing justices, judges, and judicial officers of federal courts to solemnize marriages.

The measure was read the second time.

#### MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 1657 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1657.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1657 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen,

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

Excused: Senator Trudeau

HOUSE BILL NO. 1657, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 1782, by Representatives McEntire and Fey

Addressing the operating and maintenance deficit of the Wahkiakum county ferry.

The measure was read the second time.

MOTION

Senator Wilson, L. moved that the following committee striking amendment by the Committee on Transportation be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 47.56.720 and 1992 c 82 s 1 are each amended to read as follows:

(1) The legislature finds that the ferry operated by Wahkiakum county between Puget Island and Westport on the Columbia river provides ((service which is primarily local in nature with secondary benefits to the state highway system in providing a bypass for state route 4 and providing)) an important transportation bypass for state route 4 and provides the only crossing of the Columbia river between the Astoria-Megler bridge and the Longview bridge.

(2) The department is hereby authorized to enter into a continuing agreement with Wahkiakum county pursuant to which the department shall pay to Wahkiakum county from moneys appropriated for such purpose monthly amounts not to exceed ((eighty)) 85 percent of the operating and maintenance deficit with a maximum not to exceed the amount appropriated for that biennium to be used in the operation and maintenance of the Puget Island ferry, commencing July 1, 1992.

(3) The annual deficit, if any, incurred in the operation and maintenance of the ferry shall be determined by Wahkiakum county subject to the approval of the department. If ((eighty)) 85 percent of the deficit for the preceding fiscal year exceeds the total amount paid to the county for that year, the additional amount shall be paid to the county by the department upon the receipt of a properly executed voucher. ((The total of all payments to the county in any biennium shall not exceed the amount appropriated for that biennium.)) The fares established by the county shall be comparable to those used for similar runs on the state ferry system.

(4) Whenever, subsequent to June 9, 1977, state route 4 between Cathlamet and Longview is closed to traffic pursuant to chapter 47.48 RCW due to actual or potential slide conditions and there is no suitable, reasonably short alternate state route provided, Wahkiakum county is authorized to operate the Puget Island ferry on a toll-free basis during the entire period of such closure. The state's share of the ferry operations and maintenance deficit during such period shall be ((one hundred)) 100 percent.

(5) Whenever state route 4 between Cathlamet and Longview

is closed to traffic, as mentioned in subsection (4) hereof, the state of Washington shall provide temporary rest room facilities at the Washington ferry landing terminal."

On page 1, line 2 of the title, after "ferry;" strike the remainder of the title and insert "and amending RCW 47.56.720."

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

The Vice President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Transportation to Engrossed House Bill No. 1782.

The motion by Senator Wilson, L. carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Wilson, L., the rules were suspended, Engrossed House Bill No. 1782 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed House Bill No. 1782 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1782 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Trudeau

ENGROSSED HOUSE BILL NO. 1782 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5199, by Senators Mullet, Conway, Dozier, Holy, Keiser, Lovelett, Nguyen, Shewmake and Valdez

Providing tax relief for newspaper publishers.

MOTIONS

On motion of Senator Mullet, Second Substitute Senate Bill No. 5199 was substituted for Senate Bill No. 5199 and the substitute bill was placed on the second reading and read the second time.

Senator Mullet moved that the following striking amendment no. 0138 by Senator Mullet be adopted:

EIGHTY SECOND DAY, MARCH 31, 2023

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that Washington state's local newspapers and online digital news publishers are important providers of journalism in their communities. Across the state and the country, local newspapers are vanishing at an alarming rate.

Since the advent of the internet, Washington state newspapers, large and small, have experienced severe financial losses that caused layoffs and reduced journalistic capacity. Between 2005 and 2020, Washington state newspapers lost 67 percent of their newsroom employees. Many print media organizations operate at a deficit due to disruption of traditional revenue streams and even the surviving legacy news organizations are cutting staff and circulation. Washington state has lost more than two dozen weeklies and three dailies since 2004. The decline of these journalistic institutions represents a threat to democracy, government accountability, and civic engagement.

A Portland State University study found that the loss of local journalism is correlated to a decline in civic engagement, both nationally and in Washington state, which includes contacting a public office to express an opinion, participating in school groups, community associations, or civic organizations, and serving on a committee of any group or organization.

The legislature finds that local journalism can help keep watch over health trends in the community by identifying and preventing disease. The legislature finds that rural and underserved communities are the hardest hit in the area of public health when newspapers decline.

The legislature finds that local journalism helps combat government corruption and holds powerful institutions accountable. Newspapers in Washington state have lobbied and editorialized for open public records, and fought attempts to rein in frivolous requests, costing local and state governments millions of dollars each year.

Without legislative action, the current business and occupation tax preference for newspaper publishers will expire on July 1, 2024.

**NEW SECTION. Sec. 2.** A new section is added to chapter 82.04 RCW to read as follows:

(1) This chapter does not apply to amounts received by any person for engaging in any of the following activities:

(a) Printing a newspaper, publishing a newspaper, or both; or

(b) Publishing eligible digital content by a person who reported under the printing and publishing tax classification for the reporting period that covers January 1, 2008, for engaging in printing and/or publishing a newspaper, as defined on January 1, 2008.

(2) The exemption under this section must be reduced by an amount equal to the value of any expenditure made by the person during the tax reporting period. For purposes of this subsection, "expenditure" has the meaning provided in RCW 42.17A.005.

(3) If a person who is primarily engaged in printing a newspaper, publishing a newspaper, or publishing eligible digital content, or any combination of these activities, charges a single, nonvariable amount to advertise in, subscribe to, or access content in both a publication identified in subsection (1) of this section and another type of publication, the entire amount is exempt under this section.

(4) For purposes of this section, "eligible digital content" means a publication that:

(a) Is published at regularly stated intervals of at least once per month;

(b) Features written content, the largest category of which, as

determined by word count, contains material that identifies the author or the original source of the material; and

(c) Is made available to readers exclusively in an electronic format.

(5) The exemption under this section applies only to persons primarily engaged in printing a newspaper, publishing a newspaper, or publishing eligible digital content, or any combination of these activities, unless these business activities were previously engaged in by an affiliated person and were not the affiliated person's primary business activity.

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

(a) "Affiliated" has the same meaning as provided in RCW 82.04.299.

(b) "Primarily" means, with respect to a business activity or combination of business activities of a taxpayer, more than 50 percent of the taxpayer's gross worldwide income from all business activities, whether subject to tax under this chapter or not, comes from such activity or activities.

**Sec. 3.** RCW 82.04.260 and 2022 c 16 s 140 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of manufacturing:

(a) Wheat into flour, barley into pearl barley, soybeans into soybean oil, canola into canola oil, canola meal, or canola by-products, or sunflower seeds into sunflower oil; as to such persons the amount of tax with respect to such business is equal to the value of the flour, pearl barley, oil, canola meal, or canola by-product manufactured, multiplied by the rate of 0.138 percent;

(b) Beginning July 1, 2025, seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; or selling manufactured seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing, to purchasers who transport in the ordinary course of business the goods out of this state; as to such persons the amount of tax with respect to such business is equal to the value of the products manufactured or the gross proceeds derived from such sales, multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state;

(c)(i) Except as provided otherwise in (c)(iii) of this subsection, from July 1, 2025, until January 1, 2036, dairy products; or selling dairy products that the person has manufactured to purchasers who either transport in the ordinary course of business the goods out of state or purchasers who use such dairy products as an ingredient or component in the manufacturing of a dairy product; as to such persons the tax imposed is equal to the value of the products manufactured or the gross proceeds derived from such sales multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state or sold to a manufacturer for use as an ingredient or component in the manufacturing of a dairy product.

(ii) For the purposes of this subsection (1)(c), "dairy products" means:

(A) Products, not including any cannabis-infused product, that as of September 20, 2001, are identified in 21 C.F.R., chapter 1, parts 131, 133, and 135, including by-products from the manufacturing of the dairy products, such as whey and casein; and

(B) Products comprised of not less than seventy percent dairy products that qualify under (c)(ii)(A) of this subsection, measured

by weight or volume.

(iii) The preferential tax rate provided to taxpayers under this subsection (1)(c) does not apply to sales of dairy products on or after July 1, 2023, where a dairy product is used by the purchaser as an ingredient or component in the manufacturing in Washington of a dairy product;

(d)(i) Beginning July 1, 2025, fruits or vegetables by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables, or selling at wholesale fruits or vegetables manufactured by the seller by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables and sold to purchasers who transport in the ordinary course of business the goods out of this state; as to such persons the amount of tax with respect to such business is equal to the value of the products manufactured or the gross proceeds derived from such sales multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state.

(ii) For purposes of this subsection (1)(d), "fruits" and "vegetables" do not include cannabis, useable cannabis, or cannabis-infused products; and

(e) Wood biomass fuel; as to such persons the amount of tax with respect to the business is equal to the value of wood biomass fuel manufactured, multiplied by the rate of 0.138 percent. For the purposes of this section, "wood biomass fuel" means a liquid or gaseous fuel that is produced from lignocellulosic feedstocks, including wood, forest, or field residue and dedicated energy crops, and that does not include wood treated with chemical preservations such as creosote, pentachlorophenol, or copper-chrome-arsenic.

(2) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business is equal to the value of the peas split or processed, multiplied by the rate of 0.138 percent.

(3) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.484 percent.

(4) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale only and not at retail; as to such persons the tax imposed is equal to the gross proceeds derived from such sales multiplied by the rate of 0.138 percent.

(5)(a) Upon every person engaging within this state in the business of acting as a travel agent or tour operator and whose annual taxable amount for the prior calendar year from such business was two hundred fifty thousand dollars or less; as to such persons the amount of the tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent.

(b) Upon every person engaging within this state in the business of acting as a travel agent or tour operator and whose annual taxable amount for the prior calendar year from such business was more than two hundred fifty thousand dollars; as to such persons the amount of the tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent through June 30, 2019, and 0.9 percent beginning July 1, 2019.

(6) Upon every person engaging within this state in business as an international steamship agent, international customs house

broker, international freight forwarder, vessel and/or cargo charter broker in foreign commerce, and/or international air cargo agent; as to such persons the amount of the tax with respect to only international activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent.

(7) Upon every person engaging within this state in the business of stevedoring and associated activities pertinent to the movement of goods and commodities in waterborne interstate or foreign commerce; as to such persons the amount of tax with respect to such business is equal to the gross proceeds derived from such activities multiplied by the rate of 0.275 percent. Persons subject to taxation under this subsection are exempt from payment of taxes imposed by chapter 82.16 RCW for that portion of their business subject to taxation under this subsection. Stevedoring and associated activities pertinent to the conduct of goods and commodities in waterborne interstate or foreign commerce are defined as all activities of a labor, service or transportation nature whereby cargo may be loaded or unloaded to or from vessels or barges, passing over, onto or under a wharf, pier, or similar structure; cargo may be moved to a warehouse or similar holding or storage yard or area to await further movement in import or export or may move to a consolidation freight station and be stuffed, unstuffed, containerized, separated or otherwise segregated or aggregated for delivery or loaded on any mode of transportation for delivery to its consignee. Specific activities included in this definition are: Wharfage, handling, loading, unloading, moving of cargo to a convenient place of delivery to the consignee or a convenient place for further movement to export mode; documentation services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo; imported automobile handling prior to delivery to consignee; terminal stevedoring and incidental vessel services, including but not limited to plugging and unplugging refrigerator service to containers, trailers, and other refrigerated cargo receptacles, and securing ship hatch covers.

(8)(a) Upon every person engaging within this state in the business of disposing of low-level waste, as defined in RCW 70A.380.010; as to such persons the amount of the tax with respect to such business is equal to the gross income of the business, excluding any fees imposed under chapter 70A.384 RCW, multiplied by the rate of 3.3 percent.

(b) If the gross income of the taxpayer is attributable to activities both within and without this state, the gross income attributable to this state must be determined in accordance with the methods of apportionment required under RCW 82.04.460.

(9) Upon every person engaging within this state as an insurance producer or title insurance agent licensed under chapter 48.17 RCW or a surplus line broker licensed under chapter 48.15 RCW; as to such persons, the amount of the tax with respect to such licensed activities is equal to the gross income of such business multiplied by the rate of 0.484 percent.

(10) Upon every person engaging within this state in business as a hospital, as defined in chapter 70.41 RCW, that is operated as a nonprofit corporation or by the state or any of its political subdivisions, as to such persons, the amount of tax with respect to such activities is equal to the gross income of the business multiplied by the rate of 0.75 percent through June 30, 1995, and 1.5 percent thereafter.

(11)(a) Beginning October 1, 2005, upon every person engaging within this state in the business of manufacturing commercial airplanes, or components of such airplanes, or making sales, at retail or wholesale, of commercial airplanes or components of such airplanes, manufactured by the seller, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product

EIGHTY SECOND DAY, MARCH 31, 2023

manufactured and the gross proceeds of sales of the product manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of:

(i) 0.4235 percent from October 1, 2005, through June 30, 2007;

(ii) 0.2904 percent beginning July 1, 2007, through March 31, 2020; and

(iii) Beginning April 1, 2020, 0.484 percent, subject to any reduction required under (e) of this subsection (11). The tax rate in this subsection (11)(a)(iii) applies to all business activities described in this subsection (11)(a).

(b) Beginning July 1, 2008, upon every person who is not eligible to report under the provisions of (a) of this subsection (11) and is engaging within this state in the business of manufacturing tooling specifically designed for use in manufacturing commercial airplanes or components of such airplanes, or making sales, at retail or wholesale, of such tooling manufactured by the seller, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured and the gross proceeds of sales of the product manufactured, or in the case of processors for hire, be equal to the gross income of the business, multiplied by the rate of:

(i) 0.2904 percent through March 31, 2020; and

(ii) Beginning April 1, 2020, the following rates, which are subject to any reduction required under (e) of this subsection (11):

(A) The rate under RCW 82.04.250(1) on the business of making retail sales of tooling specifically designed for use in manufacturing commercial airplanes or components of such airplanes; and

(B) 0.484 percent on all other business activities described in this subsection (11)(b).

(c) For the purposes of this subsection (11), "commercial airplane" and "component" have the same meanings as provided in RCW 82.32.550.

(d)(i) In addition to all other requirements under this title, a person reporting under the tax rate provided in this subsection (11) must file a complete annual tax performance report with the department under RCW 82.32.534. However, this requirement does not apply to persons reporting under the tax rate in (a)(iii) of this subsection (11), so long as that rate remains 0.484 percent, or under any of the tax rates in (b)(ii)(A) and (B) of this subsection (11), so long as those tax rates remain the rate imposed pursuant to RCW 82.04.250(1) and 0.484 percent, respectively.

(ii) Nothing in (d)(i) of this subsection (11) may be construed as affecting the obligation of a person reporting under a tax rate provided in this subsection (11) to file a complete annual tax performance report with the department under RCW 82.32.534: (A) Pursuant to another provision of this title as a result of claiming a tax credit or exemption; or (B) pursuant to (d)(i) of this subsection (11) as a result of claiming the tax rates in (a)(ii) or (b)(i) of this subsection (11) for periods ending before April 1, 2020.

(e)(i) After March 31, 2021, the tax rates under (a)(iii) and (b)(ii) of this subsection (11) must be reduced to 0.357 percent provided the conditions in RCW 82.04.2602 are met. The effective date of the rates authorized under this subsection (11)(e) must occur on the first day of the next calendar quarter that is at least sixty days after the department receives the last of the two written notices pursuant to RCW 82.04.2602 (3) and (4).

(ii) Both a significant commercial airplane manufacturer separately and the rest of the aerospace industry as a whole, receiving the rate of 0.357 percent under this subsection (11)(e) are subject to the aerospace apprenticeship utilization rates required under RCW 49.04.220 by April 1, 2026, or five years

after the effective date of the 0.357 percent rate authorized under this subsection (11)(e), whichever is later, as determined by the department of labor and industries.

(iii) The provisions of RCW 82.32.805 and 82.32.808 do not apply to this subsection (11)(e).

(f)(i) Except as provided in (f)(ii) of this subsection (11), this subsection (11) does not apply on and after July 1, 2040.

(ii) With respect to the manufacturing of commercial airplanes or making sales, at retail or wholesale, of commercial airplanes, this subsection (11) does not apply on and after July 1st of the year in which the department makes a determination that any final assembly or wing assembly of any version or variant of a commercial airplane that is the basis of a siting of a significant commercial airplane manufacturing program in the state under RCW 82.32.850 has been sited outside the state of Washington. This subsection (11)(f)(ii) only applies to the manufacturing or sale of commercial airplanes that are the basis of a siting of a significant commercial airplane manufacturing program in the state under RCW 82.32.850. This subsection (11)(f)(ii) continues to apply during the time that a person is subject to the tax rate in (a)(iii) of this subsection (11).

(g) For the purposes of this subsection, "a significant commercial airplane manufacturer" means a manufacturer of commercial airplanes with at least fifty thousand full-time employees in Washington as of January 1, 2021.

(12)(a) Until July 1, 2045, upon every person engaging within this state in the business of extracting timber or extracting for hire timber; as to such persons the amount of tax with respect to the business is, in the case of extractors, equal to the value of products, including by-products, extracted, or in the case of extractors for hire, equal to the gross income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2045.

(b) Until July 1, 2045, upon every person engaging within this state in the business of manufacturing or processing for hire: (i) Timber into timber products or wood products; (ii) timber products into other timber products or wood products; or (iii) products defined in RCW 19.27.570(1); as to such persons the amount of the tax with respect to the business is, in the case of manufacturers, equal to the value of products, including by-products, manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2045.

(c) Until July 1, 2045, upon every person engaging within this state in the business of selling at wholesale: (i) Timber extracted by that person; (ii) timber products manufactured by that person from timber or other timber products; (iii) wood products manufactured by that person from timber or timber products; or (iv) products defined in RCW 19.27.570(1) manufactured by that person; as to such persons the amount of the tax with respect to the business is equal to the gross proceeds of sales of the timber, timber products, wood products, or products defined in RCW 19.27.570(1) multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2045.

(d) Until July 1, 2045, upon every person engaging within this state in the business of selling standing timber; as to such persons the amount of the tax with respect to the business is equal to the gross income of the business multiplied by the rate of 0.2904 percent. For purposes of this subsection (12)(d), "selling standing timber" means the sale of timber apart from the land, where the buyer is required to sever the timber within thirty months from the date of the original contract, regardless of the method of

payment for the timber and whether title to the timber transfers before, upon, or after severance.

(e) For purposes of this subsection, the following definitions apply:

(i) "Biocomposite surface products" means surface material products containing, by weight or volume, more than fifty percent recycled paper and that also use nonpetroleum-based phenolic resin as a bonding agent.

(ii) "Paper and paper products" means products made of interwoven cellulosic fibers held together largely by hydrogen bonding. "Paper and paper products" includes newsprint; office, printing, fine, and pressure-sensitive papers; paper napkins, towels, and toilet tissue; kraft bag, construction, and other kraft industrial papers; paperboard, liquid packaging containers, containerboard, corrugated, and solid-fiber containers including linerboard and corrugated medium; and related types of cellulosic products containing primarily, by weight or volume, cellulosic materials. "Paper and paper products" does not include books, newspapers, magazines, periodicals, and other printed publications, advertising materials, calendars, and similar types of printed materials.

(iii) "Recycled paper" means paper and paper products having fifty percent or more of their fiber content that comes from postconsumer waste. For purposes of this subsection (12)(e)(iii), "postconsumer waste" means a finished material that would normally be disposed of as solid waste, having completed its life cycle as a consumer item.

(iv) "Timber" means forest trees, standing or down, on privately or publicly owned land. "Timber" does not include Christmas trees that are cultivated by agricultural methods or short-rotation hardwoods as defined in RCW 84.33.035.

(v) "Timber products" means:

(A) Logs, wood chips, sawdust, wood waste, and similar products obtained wholly from the processing of timber, short-rotation hardwoods as defined in RCW 84.33.035, or both;

(B) Pulp, including market pulp and pulp derived from recovered paper or paper products; and

(C) Recycled paper, but only when used in the manufacture of biocomposite surface products.

(vi) "Wood products" means paper and paper products; dimensional lumber; engineered wood products such as particleboard, oriented strand board, medium density fiberboard, and plywood; wood doors; wood windows; and biocomposite surface products.

(f) Except for small harvesters as defined in RCW 84.33.035, a person reporting under the tax rate provided in this subsection (12) must file a complete annual tax performance report with the department under RCW 82.32.534.

(g) Nothing in this subsection (12) may be construed to affect the taxation of any activity defined as a retail sale in RCW 82.04.050(2) (b) or (c), defined as a wholesale sale in RCW 82.04.060(2), or taxed under RCW 82.04.280(1)(g).

(13) Upon every person engaging within this state in inspecting, testing, labeling, and storing canned salmon owned by another person, as to such persons, the amount of tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.484 percent.

((14)(a) Upon every person engaging within this state in the business of printing a newspaper, publishing a newspaper, or both, the amount of tax on such business is equal to the gross income of the business multiplied by the rate of 0.35 percent until July 1, 2024, and 0.484 percent thereafter.

(b) A person reporting under the tax rate provided in this subsection (14) must file a complete annual tax performance report with the department under RCW 82.32.534.)

**Sec. 4.** RCW 35.102.150 and 2011 c 174 s 201 are each amended to read as follows:

Notwithstanding RCW 35.102.130, a city that imposes a business and occupation tax must allocate a person's gross income from the activities of printing, and of publishing newspapers, periodicals, or magazines, to the principal place in this state from which the taxpayer's business is directed or managed. As used in this section, the activities of printing, and of publishing newspapers, periodicals, or magazines are those activities to which the exemption in section 2 of this act and the tax rate(s) in RCW ((82.04.260(13) and)) 82.04.280(1)(a) apply.

**Sec. 5.** RCW 82.04.460 and 2014 c 97 s 304 are each amended to read as follows:

(1) Except as otherwise provided in this section, any person earning apportionable income taxable under this chapter and also taxable in another state must, for the purpose of computing tax liability under this chapter, apportion to this state, in accordance with RCW 82.04.462, that portion of the person's apportionable income derived from business activities performed within this state.

(2) The department must by rule provide a method of apportioning the apportionable income of financial institutions, where such apportionable income is taxable under RCW 82.04.290. The rule adopted by the department must, to the extent feasible, be consistent with the multistate tax commission's recommended formula for the apportionment and allocation of net income of financial institutions as existing on June 1, 2010, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, except that:

(a) The department's rule must provide for a single factor apportionment method based on the receipts factor; and

(b) The definition of "financial institution" contained in appendix A to the multistate tax commission's recommended formula for the apportionment and allocation of net income of financial institutions is advisory only.

(3) The department may by rule provide a method or methods of apportioning or allocating gross income derived from sales of telecommunications service and competitive telephone service taxed under this chapter, if the gross proceeds of sales subject to tax under this chapter do not fairly represent the extent of the taxpayer's income attributable to this state. The rule must provide for an equitable and constitutionally permissible division of the tax base.

(4) For purposes of this section, the following definitions apply unless the context clearly requires otherwise:

(a) "Apportionable income" means gross income of the business generated from engaging in apportionable activities, including income received from apportionable activities performed outside this state if the income would be taxable under this chapter if received from activities in this state, less the exemptions and deductions allowable under this chapter. For purposes of this subsection, "apportionable activities" means only those activities taxed under:

(i) RCW 82.04.255;

(ii) RCW 82.04.260 (3), (5), (6), (7), (8), (9), (10), and (13);

(iii) RCW 82.04.280(1)(e);

(iv) RCW 82.04.285;

(v) RCW 82.04.286;

(vi) RCW 82.04.290;

(vii) RCW 82.04.2907;

(viii) RCW 82.04.2908;

(ix) RCW 82.04.263, but only to the extent of any activity that would be taxable under any of the provisions enumerated under (a)(i) through (viii) of this subsection (4) if the tax classification in RCW 82.04.263 did not exist; and

EIGHTY SECOND DAY, MARCH 31, 2023

(x) RCW ((82.04.260(14) and)) 82.04.280(1)(a) or exempted under section 2 of this act, but only with respect to advertising.

(b)(i) "Taxable in another state" means that the taxpayer is subject to a business activities tax by another state on its income received from engaging in apportionable activities; or the taxpayer is not subject to a business activities tax by another state on its income received from engaging in apportionable activities, but any other state has jurisdiction to subject the taxpayer to a business activities tax on such income under the substantial nexus standards in RCW 82.04.067(1).

(ii) For purposes of this subsection (4)(b), "business activities tax" and "state" have the same meaning as in RCW 82.04.462.

**Sec. 6.** RCW 82.08.806 and 2020 c 139 s 16 are each amended to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to sales, to a printer or publisher, of computer equipment, including repair parts and replacement parts for such equipment, when the computer equipment is used primarily in the printing or publishing of any printed material, or to sales of or charges made for labor and services rendered in respect to installing, repairing, cleaning, altering, or improving the computer equipment. This exemption applies only to computer equipment not otherwise exempt under RCW 82.08.02565.

(2) A person taking the exemption under this section must keep records necessary for the department to verify eligibility under this section. This exemption is available only when the purchaser provides the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

(3) The definitions in this subsection (3) apply throughout this section, unless the context clearly requires otherwise.

(a) "Computer" has the same meaning as in RCW 82.04.215.

(b) "Computer equipment" means a computer and the associated physical components that constitute a computer system, including monitors, keyboards, printers, modems, scanners, pointing devices, and other computer peripheral equipment, cables, servers, and routers. "Computer equipment" also includes digital cameras and computer software.

(c) "Computer software" has the same meaning as in RCW 82.04.215.

(d) "Primarily" means greater than fifty percent as measured by time.

(e) "Printer or publisher" means a person, as defined in RCW 82.04.030, who is subject to tax under RCW ((82.04.260(14) or)) 82.04.280(1)(a) or is eligible for the exemption under section 2 of this act.

(4) "Computer equipment" does not include computer equipment that is used primarily for administrative purposes including but not limited to payroll processing, accounting, customer service, telemarketing, and collection. If computer equipment is used simultaneously for administrative and nonadministrative purposes, the administrative use must be disregarded during the period of simultaneous use for purposes of determining whether the computer equipment is used primarily for administrative purposes.

**NEW SECTION. Sec. 7.** (1) This section is the tax preference performance statement for the tax preference contained in section 2, chapter . . . , Laws of 2023 (section 2 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or to be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes this tax preference as one intended to provide tax relief for certain businesses or individuals and to create or retain jobs, as indicated in RCW 82.32.808(2) (c)

and (e).

(3) It is the legislature's specific public policy objective to protect and support local journalism.

(4) If a review finds that the tax preference accomplishes its goal of supporting local journalism across the state, measured by retaining 75 percent of the journalism jobs, local newspapers, and community-focused online news outlets based in Washington as of December 31, 2022, or if a review finds that the tax preference enables locally based journalism outlets to continue to exist when compared to states that did not provide similar tax incentives, then the legislature intends to extend the expiration date of this tax preference.

(5) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee may refer to any data collected by the state.

(6) RCW 82.32.808(6) does not apply to the tax preference created in section 2 of this act.

**NEW SECTION. Sec. 8.** This act takes effect January 1, 2024.

**NEW SECTION. Sec. 9.** This act expires January 1, 2034."

On page 1, line 1 of the title, after "publishers;" strike the remainder of the title and insert "amending RCW 82.04.260, 35.102.150, 82.04.460, and 82.08.806; adding a new section to chapter 82.04 RCW; creating new sections; providing an effective date; and providing an expiration date."

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

The Vice President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 0138 by Senator Mullet to Second Substitute Senate Bill No. 5199.

The motion by Senator Mullet carried and striking amendment no. 0138 was adopted by voice vote.

#### MOTION

On motion of Senator Mullet, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5199 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5199.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5199 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Fortunato

Excused: Senator Trudeau



ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5199, having received the constitutional majority, 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. 5258, by Senators Shewmake, Gildon, Billig, Liias, Lovick, Nguyen, Nobles, Randall and Wellman

Increasing the supply and affordability of condominium units and townhouses as an option for homeownership.

MOTIONS

On motion of Senator Shewmake, Second Substitute Senate Bill No. 5258 was substituted for Senate Bill No. 5258 and the substitute bill was placed on the second reading and read the second time.

Senator Shewmake moved that the following striking amendment no. 0265 by Senator Shewmake be adopted:

Beginning on page 31, line 11, strike all of section 11  
 Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 32, at the beginning of line 14, insert "(1)"

On page 32, beginning on line 15, after "treasurer." strike all material through "account." on line 16 and insert "Receipts from the real estate excise tax on sales of condominiums or townhouses to persons using a down payment assistance program offered by the Washington state housing finance commission must be deposited in the account, as provided in subsection (2) of this section."

On page 32, after line 23, insert the following:

"(2)(a) Beginning June 15, 2024, and each June 15th thereafter, the department must notify the economic and revenue forecast council of the total amount received under RCW 82.45.060 from sales of condominiums or townhouses to persons using a down payment assistance program offered by the Washington state housing finance commission during the prior calendar year.

(b) Beginning in fiscal year 2025, and each fiscal year thereafter, the legislature must appropriate from the general fund to this account the amount received under RCW 82.45.060 on sales of condominiums or townhouses to persons using a down payment assistance program offered by the Washington state housing finance commission during the prior calendar year, as determined under (a) of this subsection.

(c) On or before March 1, 2024, and each March 1st thereafter, the Washington state housing finance commission must provide the department with the following information for each sale of a condominium or townhouse to a person using a down payment assistance program offered by the Washington state housing finance commission that occurred during the prior calendar year:

- (i) The real estate excise tax affidavit number associated with the sale;
- (ii) The date of sale;
- (iii) The parcel number of the property sold;
- (iv) The street address of the property sold;
- (v) The county in which the property sold is located;
- (vi) The full legal name of the seller, or sellers, as shown on the real estate excise tax affidavit;
- (vii) The full legal name of the buyer, or buyers, as shown on the real estate excise tax affidavit; and
- (viii) Any additional information the department may require to verify the property sold is a condominium or townhouse sold

to persons using a down payment assistance program offered by the Washington state housing finance commission.

(d) For the purposes of this subsection, "townhouse" means dwelling units constructed in a row of two or more attached units where each dwelling unit shares at least one common wall with an adjacent unit and is accessed by a separate outdoor entrance."

On page 38, line 25, after "Sec. 18." strike "Section 9" and insert "Sections 9 and 12"

On page 38, line 25, after "act" strike "takes" and insert "take"  
 On page 38, line 31, after "10" strike "through 12" and insert "and 11"

On page 1, line 4 of the title, after "82.45.010, 82.45.010," strike "82.45.230,"

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

The Vice President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 0265 by Senator Shewmake to Second Substitute Senate Bill No. 5258.

The motion by Senator Shewmake carried and striking amendment no. 0265 was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5258 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5258.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5258 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5258, having received the constitutional majority, 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. 5277, by Senators Wilson, L., Dozier, Lovelett, Lovick, Muzzall, Shewmake, Torres, Wagoner and Warnick

Extending tax preferences for dairy, fruit and vegetable, and seafood processors.

The measure was read the second time.

EIGHTY SECOND DAY, MARCH 31, 2023

MOTION

Senator Hasegawa moved that the following striking amendment no. 0258 by Senator Hasegawa be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) This section is the tax preference performance statement for the tax preferences contained in sections 2 through 5, chapter . . . , Laws of 2023 (sections 2 through 5 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preferences. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes these tax preferences as ones intended to create or retain jobs and provide tax relief for certain businesses or individuals as indicated in RCW 82.32.808(2) (c) and (e).

(3) It is the legislature's specific public policy objective to create and retain jobs and continue providing tax relief to the food processing industry.

(4) To measure the effectiveness of the deductions in sections 2 through 5 of this act in achieving the public policy objectives described in subsection (3) of this section, the joint legislative audit and review committee must evaluate the following:

(a) The number of businesses that claim the deductions in sections 2 through 5 of this act;

(b) The change in total taxable income for taxpayers claiming the deductions under sections 2 through 5 of this act;

(c) The change in total employment for taxpayers claiming the deductions under sections 2 through 5 of this act; and

(d) For each calendar year, the total amount of deductions claimed under sections 2 through 5 of this act as a percentage of total taxable income for taxpayers within taxable income categories.

(5) The information provided in the annual report submitted by the taxpayers under RCW 82.32.534, tax data collected by the department of revenue, and data collected by the employment security department is intended to provide the informational basis for the evaluation under subsection (4) of this section.

(6) In addition to the data sources described under subsection (5) of this section, the joint legislative audit and review committee may use any other data it deems necessary in performing the evaluation under subsection (4) of this section.

**Sec. 2.** RCW 82.04.4268 and 2020 c 139 s 6 are each amended to read as follows:

(1)(a) In computing tax there may be deducted from the measure of tax, the value of products or the gross proceeds of sales derived from:

~~((a))~~ (i) Manufacturing dairy products; or

~~((b) Selling))~~ (ii) Except as provided otherwise in (b) of this subsection, selling dairy products manufactured by the seller to purchasers who either transport in the ordinary course of business the goods out of this state or purchasers who use such dairy products as an ingredient or component in the manufacturing of a dairy product. A person taking ((an exemption)) a deduction under this subsection (1)((b)) (a)(ii) must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state or sold to a manufacturer for use as an ingredient or component in the manufacturing of a dairy product.

(b) The deduction provided under (a)(ii) of this subsection does

not apply to the sales of dairy products on or after July 1, 2025, where a dairy product is used by the purchaser as an ingredient or component in the manufacturing in Washington of a dairy product.

(2) "Dairy products" has the same meaning as provided in RCW 82.04.260.

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

(4) Beginning in calendar year 2024, the total amount a person may claim under subsection (1)(a) of this section in any calendar year may not exceed \$125,000,000. Amounts taxable under this chapter based on the limitation in this subsection are subject to the tax rate specified in RCW 82.04.260(1)(c).

~~(5) This section expires July 1, ((2025))~~ 2035.

**Sec. 3.** RCW 82.04.4266 and 2022 c 16 s 142 are each amended to read as follows:

(1) ~~((This chapter does not apply to))~~ In computing tax there may be deducted from the measure of tax, the value of products or the gross proceeds of sales derived from:

(a) Manufacturing fruits or vegetables by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables; or

(b) Selling at wholesale fruits or vegetables manufactured by the seller by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables and sold to purchasers who transport in the ordinary course of business the goods out of this state. A person taking ~~((an exemption))~~ a deduction under this subsection (1)(b) must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state.

(2) For purposes of this section, "fruits" and "vegetables" do not include cannabis, useable cannabis, or cannabis-infused products.

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

(4) Beginning in calendar year 2024, the total amount a person may claim under this section in any calendar year may not exceed \$125,000,000. Amounts taxable under this chapter based on the limitation in this subsection are subject to the tax rate specified in RCW 82.04.260(1)(d).

~~(5) This section expires July 1, ((2025))~~ 2035.

**Sec. 4.** RCW 82.04.4269 and 2020 c 139 s 7 are each amended to read as follows:

(1) ~~((This chapter does not apply to))~~ In computing tax there may be deducted from the measure of tax, the value of products or the gross proceeds of sales derived from:

(a) Manufacturing seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; or

(b) Selling manufactured seafood products that remain in a raw, raw frozen, or raw salted state to purchasers who transport in the ordinary course of business the goods out of this state. A person taking ~~((an exemption))~~ a deduction under this subsection (1)(b) must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state.

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

(3) Beginning in calendar year 2024, the total amount a person may claim under this section in any calendar year may not exceed \$125,000,000. Amounts taxable under this chapter based on the limitation in this subsection are subject to the tax rate specified in

RCW 82.04.260(1)(b).

(4) This section expires July 1, (~~(2025)~~) 2035.

**Sec. 5.** RCW 82.04.260 and 2022 c 16 s 140 are each amended to read as follows:

(1) Upon every person engaging within this state in the business of manufacturing:

(a) Wheat into flour, barley into pearl barley, soybeans into soybean oil, canola into canola oil, canola meal, or canola by-products, or sunflower seeds into sunflower oil; as to such persons the amount of tax with respect to such business is equal to the value of the flour, pearl barley, oil, canola meal, or canola by-product manufactured, multiplied by the rate of 0.138 percent;

(b) Beginning July 1, (~~(2025)~~) 2035, seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; or selling manufactured seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing, to purchasers who transport in the ordinary course of business the goods out of this state; as to such persons the amount of tax with respect to such business is equal to the value of the products manufactured or the gross proceeds derived from such sales, multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state;

(c)(i) Except as provided otherwise in (c)(iii) of this subsection, (~~from~~) beginning July 1, (~~(2025)~~) 2035, until January 1, (~~(2036)~~) 2046, dairy products; or selling dairy products that the person has manufactured to purchasers who either transport in the ordinary course of business the goods out of state or purchasers who use such dairy products as an ingredient or component in the manufacturing of a dairy product; as to such persons the tax imposed is equal to the value of the products manufactured or the gross proceeds derived from such sales multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state or sold to a manufacturer for use as an ingredient or component in the manufacturing of a dairy product.

(ii) For the purposes of this subsection (1)(c), "dairy products" means:

(A) Products, not including any cannabis-infused product, that as of September 20, 2001, are identified in 21 C.F.R., chapter 1, parts 131, 133, and 135, including by-products from the manufacturing of the dairy products, such as whey and casein; and

(B) Products comprised of not less than (~~(seventy)~~) 70 percent dairy products that qualify under (c)(ii)(A) of this subsection, measured by weight or volume.

(iii) The preferential tax rate provided to taxpayers under this subsection (1)(c) does not apply to sales of dairy products on or after July 1, 2023, where a dairy product is used by the purchaser as an ingredient or component in the manufacturing in Washington of a dairy product;

(d)(i) Beginning July 1, (~~(2025)~~) 2035, fruits or vegetables by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables, or selling at wholesale fruits or vegetables manufactured by the seller by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables and sold to purchasers who transport in the ordinary course of business the goods out of this state; as to such persons the amount of tax with respect to such business is equal to the value of the products manufactured or the gross proceeds derived from such sales multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070

establishing that the goods were transported by the purchaser in the ordinary course of business out of this state.

(ii) For purposes of this subsection (1)(d), "fruits" and "vegetables" do not include cannabis, useable cannabis, or cannabis-infused products; and

(e) Wood biomass fuel; as to such persons the amount of tax with respect to the business is equal to the value of wood biomass fuel manufactured, multiplied by the rate of 0.138 percent. For the purposes of this section, "wood biomass fuel" means a liquid or gaseous fuel that is produced from lignocellulosic feedstocks, including wood, forest, or field residue and dedicated energy crops, and that does not include wood treated with chemical preservations such as creosote, pentachlorophenol, or copper-chrome-arsenic.

(2) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business is equal to the value of the peas split or processed, multiplied by the rate of 0.138 percent.

(3) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.484 percent.

(4) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale only and not at retail; as to such persons the tax imposed is equal to the gross proceeds derived from such sales multiplied by the rate of 0.138 percent.

(5)(a) Upon every person engaging within this state in the business of acting as a travel agent or tour operator and whose annual taxable amount for the prior calendar year from such business was (~~(two hundred fifty thousand dollars)~~) \$250,000 or less; as to such persons the amount of the tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent.

(b) Upon every person engaging within this state in the business of acting as a travel agent or tour operator and whose annual taxable amount for the prior calendar year from such business was more than (~~(two hundred fifty thousand dollars)~~) \$250,000; as to such persons the amount of the tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent through June 30, 2019, and 0.9 percent beginning July 1, 2019.

(6) Upon every person engaging within this state in business as an international steamship agent, international customs house broker, international freight forwarder, vessel and/or cargo charter broker in foreign commerce, and/or international air cargo agent; as to such persons the amount of the tax with respect to only international activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent.

(7) Upon every person engaging within this state in the business of stevedoring and associated activities pertinent to the movement of goods and commodities in waterborne interstate or foreign commerce; as to such persons the amount of tax with respect to such business is equal to the gross proceeds derived from such activities multiplied by the rate of 0.275 percent. Persons subject to taxation under this subsection are exempt from payment of taxes imposed by chapter 82.16 RCW for that portion of their business subject to taxation under this subsection. Stevedoring and associated activities pertinent to the conduct of goods and commodities in waterborne interstate or foreign commerce are defined as all activities of a labor, service or transportation nature whereby cargo may be loaded or unloaded

EIGHTY SECOND DAY, MARCH 31, 2023

to or from vessels or barges, passing over, onto or under a wharf, pier, or similar structure; cargo may be moved to a warehouse or similar holding or storage yard or area to await further movement in import or export or may move to a consolidation freight station and be stuffed, unstuffed, containerized, separated or otherwise segregated or aggregated for delivery or loaded on any mode of transportation for delivery to its consignee. Specific activities included in this definition are: Wharfage, handling, loading, unloading, moving of cargo to a convenient place of delivery to the consignee or a convenient place for further movement to export mode; documentation services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo; imported automobile handling prior to delivery to consignee; terminal stevedoring and incidental vessel services, including but not limited to plugging and unplugging refrigerator service to containers, trailers, and other refrigerated cargo receptacles, and securing ship hatch covers.

(8)(a) Upon every person engaging within this state in the business of disposing of low-level waste, as defined in RCW 70A.380.010; as to such persons the amount of the tax with respect to such business is equal to the gross income of the business, excluding any fees imposed under chapter 70A.384 RCW, multiplied by the rate of 3.3 percent.

(b) If the gross income of the taxpayer is attributable to activities both within and without this state, the gross income attributable to this state must be determined in accordance with the methods of apportionment required under RCW 82.04.460.

(9) Upon every person engaging within this state as an insurance producer or title insurance agent licensed under chapter 48.17 RCW or a surplus line broker licensed under chapter 48.15 RCW; as to such persons, the amount of the tax with respect to such licensed activities is equal to the gross income of such business multiplied by the rate of 0.484 percent.

(10) Upon every person engaging within this state in business as a hospital, as defined in chapter 70.41 RCW, that is operated as a nonprofit corporation or by the state or any of its political subdivisions, as to such persons, the amount of tax with respect to such activities is equal to the gross income of the business multiplied by the rate of 0.75 percent through June 30, 1995, and 1.5 percent thereafter.

(11)(a) Beginning October 1, 2005, upon every person engaging within this state in the business of manufacturing commercial airplanes, or components of such airplanes, or making sales, at retail or wholesale, of commercial airplanes or components of such airplanes, manufactured by the seller, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured and the gross proceeds of sales of the product manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of:

(i) 0.4235 percent from October 1, 2005, through June 30, 2007;

(ii) 0.2904 percent beginning July 1, 2007, through March 31, 2020; and

(iii) Beginning April 1, 2020, 0.484 percent, subject to any reduction required under (e) of this subsection (11). The tax rate in this subsection (11)(a)(iii) applies to all business activities described in this subsection (11)(a).

(b) Beginning July 1, 2008, upon every person who is not eligible to report under the provisions of (a) of this subsection (11) and is engaging within this state in the business of manufacturing tooling specifically designed for use in manufacturing commercial airplanes or components of such airplanes, or making sales, at retail or wholesale, of such tooling manufactured by the seller, as to such persons the amount of tax

with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured and the gross proceeds of sales of the product manufactured, or in the case of processors for hire, be equal to the gross income of the business, multiplied by the rate of:

(i) 0.2904 percent through March 31, 2020; and

(ii) Beginning April 1, 2020, the following rates, which are subject to any reduction required under (e) of this subsection (11):

(A) The rate under RCW 82.04.250(1) on the business of making retail sales of tooling specifically designed for use in manufacturing commercial airplanes or components of such airplanes; and

(B) 0.484 percent on all other business activities described in this subsection (11)(b).

(c) For the purposes of this subsection (11), "commercial airplane" and "component" have the same meanings as provided in RCW 82.32.550.

(d)(i) In addition to all other requirements under this title, a person reporting under the tax rate provided in this subsection (11) must file a complete annual tax performance report with the department under RCW 82.32.534. However, this requirement does not apply to persons reporting under the tax rate in (a)(iii) of this subsection (11), so long as that rate remains 0.484 percent, or under any of the tax rates in (b)(ii)(A) and (B) of this subsection (11), so long as those tax rates remain the rate imposed pursuant to RCW 82.04.250(1) and 0.484 percent, respectively.

(ii) Nothing in (d)(i) of this subsection (11) may be construed as affecting the obligation of a person reporting under a tax rate provided in this subsection (11) to file a complete annual tax performance report with the department under RCW 82.32.534: (A) Pursuant to another provision of this title as a result of claiming a tax credit or exemption; or (B) pursuant to (d)(i) of this subsection (11) as a result of claiming the tax rates in (a)(ii) or (b)(i) of this subsection (11) for periods ending before April 1, 2020.

(e)(i) After March 31, 2021, the tax rates under (a)(iii) and (b)(ii) of this subsection (11) must be reduced to 0.357 percent provided the conditions in RCW 82.04.2602 are met. The effective date of the rates authorized under this subsection (11)(e) must occur on the first day of the next calendar quarter that is at least ~~(sixty)~~ 60 days after the department receives the last of the two written notices pursuant to RCW 82.04.2602 (3) and (4).

(ii) Both a significant commercial airplane manufacturer separately and the rest of the aerospace industry as a whole, receiving the rate of 0.357 percent under this subsection (11)(e) are subject to the aerospace apprenticeship utilization rates required under RCW 49.04.220 by April 1, 2026, or five years after the effective date of the 0.357 percent rate authorized under this subsection (11)(e), whichever is later, as determined by the department of labor and industries.

(iii) The provisions of RCW 82.32.805 and 82.32.808 do not apply to this subsection (11)(e).

(f)(i) Except as provided in (f)(ii) of this subsection (11), this subsection (11) does not apply on and after July 1, 2040.

(ii) With respect to the manufacturing of commercial airplanes or making sales, at retail or wholesale, of commercial airplanes, this subsection (11) does not apply on and after July 1st of the year in which the department makes a determination that any final assembly or wing assembly of any version or variant of a commercial airplane that is the basis of a siting of a significant commercial airplane manufacturing program in the state under RCW 82.32.850 has been sited outside the state of Washington. This subsection (11)(f)(ii) only applies to the manufacturing or sale of commercial airplanes that are the basis of a siting of a significant commercial airplane manufacturing program in the

state under RCW 82.32.850. This subsection (11)(f)(ii) continues to apply during the time that a person is subject to the tax rate in (a)(iii) of this subsection (11).

(g) For the purposes of this subsection, "a significant commercial airplane manufacturer" means a manufacturer of commercial airplanes with at least ~~((fifty thousand))~~ 50,000 full-time employees in Washington as of January 1, 2021.

(12)(a) Until July 1, 2045, upon every person engaging within this state in the business of extracting timber or extracting for hire timber; as to such persons the amount of tax with respect to the business is, in the case of extractors, equal to the value of products, including by-products, extracted, or in the case of extractors for hire, equal to the gross income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2045.

(b) Until July 1, 2045, upon every person engaging within this state in the business of manufacturing or processing for hire: (i) Timber into timber products or wood products; (ii) timber products into other timber products or wood products; or (iii) products defined in RCW 19.27.570(1); as to such persons the amount of the tax with respect to the business is, in the case of manufacturers, equal to the value of products, including by-products, manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2045.

(c) Until July 1, 2045, upon every person engaging within this state in the business of selling at wholesale: (i) Timber extracted by that person; (ii) timber products manufactured by that person from timber or other timber products; (iii) wood products manufactured by that person from timber or timber products; or (iv) products defined in RCW 19.27.570(1) manufactured by that person; as to such persons the amount of the tax with respect to the business is equal to the gross proceeds of sales of the timber, timber products, wood products, or products defined in RCW 19.27.570(1) multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2045.

(d) Until July 1, 2045, upon every person engaging within this state in the business of selling standing timber; as to such persons the amount of the tax with respect to the business is equal to the gross income of the business multiplied by the rate of 0.2904 percent. For purposes of this subsection (12)(d), "selling standing timber" means the sale of timber apart from the land, where the buyer is required to sever the timber within ~~((thirty))~~ 30 months from the date of the original contract, regardless of the method of payment for the timber and whether title to the timber transfers before, upon, or after severance.

(e) For purposes of this subsection, the following definitions apply:

(i) "Biocomposite surface products" means surface material products containing, by weight or volume, more than ~~((fifty))~~ 50 percent recycled paper and that also use nonpetroleum-based phenolic resin as a bonding agent.

(ii) "Paper and paper products" means products made of interwoven cellulosic fibers held together largely by hydrogen bonding. "Paper and paper products" includes newsprint; office, printing, fine, and pressure-sensitive papers; paper napkins, towels, and toilet tissue; kraft bag, construction, and other kraft industrial papers; paperboard, liquid packaging containers, containerboard, corrugated, and solid-fiber containers including linerboard and corrugated medium; and related types of cellulosic products containing primarily, by weight or volume, cellulosic materials. "Paper and paper products" does not include books,

newspapers, magazines, periodicals, and other printed publications, advertising materials, calendars, and similar types of printed materials.

(iii) "Recycled paper" means paper and paper products having ~~((fifty))~~ 50 percent or more of their fiber content that comes from postconsumer waste. For purposes of this subsection (12)(e)(iii), "postconsumer waste" means a finished material that would normally be disposed of as solid waste, having completed its life cycle as a consumer item.

(iv) "Timber" means forest trees, standing or down, on privately or publicly owned land. "Timber" does not include Christmas trees that are cultivated by agricultural methods or short-rotation hardwoods as defined in RCW 84.33.035.

(v) "Timber products" means:

(A) Logs, wood chips, sawdust, wood waste, and similar products obtained wholly from the processing of timber, short-rotation hardwoods as defined in RCW 84.33.035, or both;

(B) Pulp, including market pulp and pulp derived from recovered paper or paper products; and

(C) Recycled paper, but only when used in the manufacture of biocomposite surface products.

(vi) "Wood products" means paper and paper products; dimensional lumber; engineered wood products such as particleboard, oriented strand board, medium density fiberboard, and plywood; wood doors; wood windows; and biocomposite surface products.

(f) Except for small harvesters as defined in RCW 84.33.035, a person reporting under the tax rate provided in this subsection (12) must file a complete annual tax performance report with the department under RCW 82.32.534.

(g) Nothing in this subsection (12) may be construed to affect the taxation of any activity defined as a retail sale in RCW 82.04.050(2) (b) or (c), defined as a wholesale sale in RCW 82.04.060(2), or taxed under RCW 82.04.280(1)(g).

(13) Upon every person engaging within this state in inspecting, testing, labeling, and storing canned salmon owned by another person, as to such persons, the amount of tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.484 percent.

(14)(a) Upon every person engaging within this state in the business of printing a newspaper, publishing a newspaper, or both, the amount of tax on such business is equal to the gross income of the business multiplied by the rate of 0.35 percent until July 1, 2024, and 0.484 percent thereafter.

(b) A person reporting under the tax rate provided in this subsection (14) must file a complete annual tax performance report with the department under RCW 82.32.534."

On page 1, line 2 of the title, after "processors;" strike the remainder of the title and insert "amending RCW 82.04.4268, 82.04.4266, 82.04.4269, and 82.04.260; creating a new section; and providing expiration dates."

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

Senators Wilson, L. and Rolfes spoke against adoption of the striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 0258 by Senator Hasegawa to Senate Bill No. 5277.

The motion by Senator Hasegawa did not carry and striking amendment no. 0258 was not adopted by voice vote.

#### MOTION

On motion of Senator Wilson, L., the rules were suspended,

EIGHTY SECOND DAY, MARCH 31, 2023

Senate Bill No. 5277 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, L. spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5277.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5277 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

SENATE BILL NO. 5277, having received the constitutional majority, 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. 5218, by Senators Padden, Mullet and Torres

Providing a sales and use tax exemption for complex rehabilitation technology products.

#### MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 5218 was substituted for Senate Bill No. 5218 and the substitute bill was placed on the second reading and read the second time.

SUBSTITUTE SENATE BILL NO. 5218, by Committee on Ways & Means (originally sponsored by Senators Padden, Mullet and Torres)

Revised for first Substitute: Providing a sales and use tax exemption for mobility enhancing equipment for use by or for a complex needs patient.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 5218 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5218.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5218 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

SUBSTITUTE SENATE BILL NO. 5218, having received the constitutional majority, 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. 5293, by Senators Rolfes, Robinson, Kuderer, Nobles and Van De Wege

Improving the fiscal process by updating accounts administered by the office of financial management, creating new accounts including one for the opioid litigation settlement and one for the receipt of federal funds, and reenacting accounts created in the supplemental budget bill.

#### MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 5293 was substituted for Senate Bill No. 5293 and the substitute bill was placed on the second reading and read the second time. Revised for 1st Substitute: Concerning accounts.

Senator Rolfes moved that the following amendment no. 0267 by Senator Rolfes be adopted:

On page 1, beginning on line 20, after "2021-2023" strike "fiscal ((~~biennia~~)) biennium" and insert "and 2023-2025 fiscal biennia"

Senator Rolfes spoke in favor of adoption of the amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 0267 by Senator Rolfes on page 1, line 20 to Engrossed Substitute Senate Bill No. 5293.

The motion by Senator Rolfes carried and amendment no. 0267 was adopted by voice vote.

#### MOTION

On motion of Senator Rolfes, the rules were suspended, Engrossed Substitute Senate Bill No. 5293 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5293.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5293 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

ENGROSSED SUBSTITUTE SENATE BILL NO. 5293, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1050, by House Committee on Capital Budget (originally sponsored by Riccelli, Berry, Simmons, Ryu, Goodman, Reed, Ramel, Lekanoff, Pollet, Street, Doglio, Donaghy, Wylie, Santos, Ormsby and Fosse)

Expanding apprenticeship utilization requirements.

The measure was read the second time.

## MOTION

Senator King moved that the following striking amendment no. 0259 by Senators King and Keiser be adopted:

On page 1, at the beginning of line 15, strike "\$1,000,000" and insert "\$2,000,000"

On page 1, line 16, after "apprentices." insert "For contracts advertised for bid on or after July 1, 2026, for all public works contracts awarded by a municipality estimated to cost \$1,500,000 or more, all specifications must require that no less than 15 percent of the labor hours be performed by apprentices. For contracts advertised for bid on or after July 1, 2028, for all public works contracts awarded by a municipality estimated to cost \$1,000,000 or more, all specifications must require that no less than 15 percent of the labor hours be performed by apprentices."

On page 4, line 36, after "(b)" insert "The department of labor and industries and the municipal research and services center shall provide training, information, and ongoing technical assistance to municipalities in order to comply with apprenticeship utilization requirements. Training must include, but not be limited to, department of labor and industries reporting requirements, contract administration including sample contract language, and best practices on how a municipality's governing authority must adopt apprenticeship guidelines, including procedures, rules, and instructions to ensure compliance relating to a contractor that seeks a good faith waiver of apprenticeship utilization requirements.

(c)"

On page 5, after line 33, insert the following:

**"NEW SECTION. Sec. 2.** (1) It is the intent of the legislature that apprenticeship utilization requirements lead to increased on-the-job training placements for construction apprentices and a growing and diversified pool of labor in Washington. Beginning July 1, 2024, the department of labor and industries must study and report on public works project outcomes related to apprenticeship utilization requirements, access to apprentices, and participation by women, minority, and veteran-owned businesses. The study and report must include projects completed between July 1, 2020, and June 30, 2025, as

well as projects in progress as of June 30, 2025, for in progress projects that have available data. At a minimum, the study and report must:

(a) Delineate by project size and type of awarding entity, including the department of transportation, school districts, four-year institutions of higher education, and municipalities. Project outcomes for municipalities must be delineated by type of municipality;

(b) Include total project cost, the ratio of material to labor costs, apprentice hours worked by craft and percent of total hours worked, cost savings or increases from utilizing apprentices, number of projects achieving and not achieving apprentice utilization requirements, number of projects waiving apprentice utilization requirements for good faith efforts or other criteria deemed appropriate by the awarding agency with the reasons for the waivers, and the number and percentages of women, minority, and veteran-owned businesses as prime contractors or subcontractors and whether they were able to utilize apprentices;

(c) Include, by craft, the number and service area of construction apprenticeship programs, the number of training agents, and the number of construction apprentices;

(d) Analyze women, minority, and veteran-owned businesses' access to public works projects as a prime contractor or subcontractor, and access to apprentices. The analysis should include project data and consultation with the office of minority and women's business enterprises and women, minority, and veteran-owned businesses;

(e) Identify and analyze existing applications of apprenticeship utilization requirements by municipalities and for subcontractors beyond requirements specified in RCW 39.04.320;

(f) Include recommendations and best practices for increasing apprenticeship utilization and supporting women, minority, and veteran-owned businesses in accessing apprentices; and

(g) Include recommendations and best practices for extending apprenticeship utilization requirements to subcontractors.

(2) The report must be submitted to the office of financial management, the senate labor and commerce committee, the house labor and workplace standards committee, the house capital budget committee, the house local government committee, the senate state government and elections committee, and the senate local government, land use, and tribal affairs committee, or their successor committees, no later than December 1, 2025.

(3) This section expires December 1, 2026."

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

On page 1, line 2 of the title, after "39.04.320;" strike "and providing an effective date" and insert "creating a new section; providing an effective date; and providing an expiration date"

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

The Vice President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 0259 by Senators King and Keiser on page 1, line 15 to Engrossed Substitute House Bill No. 1050.

The motion by Senator King carried and striking amendment no. 0259 was adopted by voice vote.

## MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute House Bill No. 1050 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

EIGHTY SECOND DAY, MARCH 31, 2023

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1050 as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1050 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

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

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

Excused: Senator Trudeau

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1050, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1222, by House Committee on Health Care & Wellness (originally sponsored by Orwall, Simmons, Reeves, Reed, Leavitt, Kloba, Farivar, Doglio, Morgan, Slatter, Ramel, Goodman, Callan, Fosse, Pollet, Lekanoff and Macri)

Requiring coverage for hearing instruments.

The measure was read the second time.

#### MOTION

Senator Cleveland moved that the following committee striking amendment by the Committee on Health & Long Term Care be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** A new section is added to chapter 48.43 RCW to read as follows:

(1) For nongrandfathered group health plans other than small group health plans issued or renewed on or after January 1, 2024, a health carrier shall include coverage for hearing instruments, including bone conduction hearing devices. This section does not include coverage of over-the-counter hearing instruments.

(2) Coverage shall also include the initial assessment, fitting, adjustment, auditory training, and ear molds as necessary to maintain optimal fit. Coverage of the services in this subsection shall include services for enrollees who intend to obtain or have already obtained any hearing instrument, including an over-the-counter hearing instrument.

(3) A health carrier shall provide coverage for hearing instruments as provided in subsection (1) of this section at no less than \$3,000 per ear with hearing loss every 36 months.

(4) The services and hearing instruments covered under this section are not subject to the enrollee's deductible unless the health plan is offered as a qualifying health plan for a health

savings account. For such a qualifying health plan, the carrier may apply a deductible to coverage of the services covered under this section only at the minimum level necessary to preserve the enrollee's ability to claim tax exempt contributions and withdrawals from the enrollee's health savings account under internal revenue service laws and regulations.

(5) Coverage for a minor under 18 years of age shall be available under this section only after the minor has received medical clearance within the preceding six months from:

(a) An otolaryngologist for an initial evaluation of hearing loss; or

(b) A licensed physician, which indicates there has not been a substantial change in clinical status since the initial evaluation by an otolaryngologist.

(6) For the purposes of this section:

(a) "Hearing instrument" has the same meaning as defined in RCW 18.35.010.

(b) "Over-the-counter hearing instrument" has the same meaning as "over-the-counter hearing aid" in 21 C.F.R. Sec. 800.30 as of December 28, 2022.

**Sec. 2.** RCW 41.05.830 and 2018 c 159 s 1 are each amended to read as follows:

(1) Subject to appropriation, a health plan offered to employees and their covered dependents under this chapter issued or renewed on or after January 1, 2019, must include coverage for hearing instruments. Coverage must include a new hearing instrument every five years and services and supplies such as the initial assessment, fitting, adjustment, and auditory training.

(2) The hearing instrument must be recommended by a licensed audiologist, hearing aid specialist, or a licensed physician or osteopathic physician who specializes in otolaryngology and dispensed by a licensed audiologist, hearing aid specialist, or a licensed physician or osteopathic physician who specializes in otolaryngology.

(3) For the purposes of this section, "hearing instrument" and "hearing aid specialist" have the same meaning as defined in RCW 18.35.010.

**(4) This section expires December 31, 2023.**

**NEW SECTION. Sec. 3.** A new section is added to chapter 41.05 RCW to read as follows:

A health plan offered to public employees and their covered dependents under this chapter issued or renewed on or after January 1, 2024, is subject to section 1 of this act."

On page 1, at the beginning of line 2 of the title strike the remainder of the title and insert "amending RCW 41.05.830; adding a new section to chapter 48.43 RCW; adding a new section to chapter 41.05 RCW; and providing an expiration date."

Senator Cleveland spoke in favor of adoption of the committee striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health & Long Term Care to Engrossed Substitute House Bill No. 1222.

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

#### MOTION

On motion of Senator Cleveland, the rules were suspended, Engrossed Substitute House Bill No. 1222 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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



The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1222 as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1222 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Trudeau

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1222, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 1696, by Representatives Davis, Mosbrucker, Orwall, Griffey, Duerr, Reed, Leavitt, Barnard, Walen, Eslick, Ramel and Pollet

Concerning stalking-related offenses.

The measure was read the second time.

#### MOTION

Senator Dhingra moved that the following committee striking amendment by the Committee on Law & Justice be not adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9A.46.110 and 2021 c 215 s 111 are each amended to read as follows:

(1) A person commits the crime of stalking if, without lawful authority ~~((and under circumstances not amounting to a felony attempt of another crime))~~:

(a) ~~((He or she intentionally))~~ The person:

(i) Intentionally and repeatedly harasses or repeatedly follows another person; or

(ii) Knowingly and without consent installs or monitors an electronic tracking device, or causes an electronic tracking device to be installed, placed, or used, with the intent to track the location of another person; and

(b) The person being harassed ~~((or))~~, followed, tracked, or monitored suffers substantial emotional distress or is placed in fear that the stalker intends to injure ~~((the person))~~ him or her, or another person, or his or her property ~~((of the person))~~ or the property of another person, or, in the circumstances identified in (a)(ii) of this subsection, the victim's knowledge of the tracking device would reasonably elicit substantial emotional distress or fear. The feeling of substantial emotional distress or fear must be one that a reasonable person in the same situation would experience under all the circumstances; and

(c) The stalker ~~((either))~~:

(i) Intends to frighten, intimidate, ~~((or))~~ harass, or inflict substantial emotional distress upon the person; ~~((or))~~

(ii) Knows or reasonably should know that the person is afraid, intimidated, ~~((or))~~ harassed, or placed in substantial emotional distress, or in the circumstances identified in (a)(ii) of this subsection, that the person's knowledge of the tracking device would elicit such reaction, even if the stalker did not intend to place the person in fear or substantial emotional distress or intimidate or harass the person; or

(iii) Contacts, follows, tracks, or monitors, or attempts to contact, follow, track, or monitor the person after being given actual notice that the person does not want to be contacted, followed, tracked, or monitored.

(2)(a) It is not a defense to the crime of stalking under subsection (1)(c)(i) of this section that the stalker was not given actual notice that the person did not want the stalker to contact ~~((or))~~, follow ~~((the person))~~, track, or monitor him or her; and

(b) It is not a defense to the crime of stalking under subsection (1)(c)(ii) or (iii) of this section that the stalker did not intend to frighten, intimidate, or harass the person or place the person in substantial emotional distress.

(3) It shall be a defense to the crime of stalking that the defendant is a licensed private investigator acting within the capacity of his or her license as provided by chapter 18.165 RCW.

~~((Attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed constitutes prima facie evidence that the stalker intends to intimidate or harass the person. "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the person.))~~ The provisions of this section do not apply to the installation, placement, or use of an electronic tracking device by any of the following:

(a) A law enforcement officer, judicial officer, probation or parole officer, or other public employee when any such person is engaged in the lawful performance of official duties and in accordance with state or federal law;

(b) The installation, placement, or use of an electronic tracking device authorized by an order of a state or federal court;

(c) A legal guardian for a disabled adult or a legally authorized individual or organization designated to provide protective services to a disabled adult when the electronic tracking device is installed, placed, or used to track the location of the disabled adult for which the person is a legal guardian or the individual or organization is designated to provide protective services;

(d) A parent or legal guardian of a minor when the electronic tracking device is installed, placed, or used to track the location of that minor unless the parent or legal guardian is subject to a court order that orders the parent or legal guardian not to assault, threaten, harass, follow, or contact that minor;

(e) An employer, school, or other organization, who owns the device on which the tracking device is installed and provides the device to a person for use in connection with the person's involvement with the employer, school, or other organization and the use of the device is limited to recovering lost or stolen items; or

(f) The owner of fleet vehicles, when tracking such vehicles. For the purposes of this section, "fleet vehicle" means any of the following:

(i) One or more motor vehicles owned by a single entity and operated by employees or agents of the entity for business or government purposes;

(ii) Motor vehicles held for lease or rental to the general public; or

(iii) Motor vehicles held for sale, or used as demonstrators, test vehicles, or loaner vehicles, by motor vehicle dealers.

EIGHTY SECOND DAY, MARCH 31, 2023

(5)(a) Except as provided in (b) of this subsection, a person who stalks another person is guilty of a gross misdemeanor.

(b) A person who stalks another person is guilty of a class B felony if any of the following applies:

(i) The stalker has previously been convicted in this state or any other state of any crime of harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim's family or household or any person specifically named in a protective order;

(ii) ~~(the)~~ The stalking violates any protective order protecting the ~~((person being stalked))~~ victim;

(iii) ~~(the)~~ The stalker has previously been convicted of a gross misdemeanor or felony stalking offense under this section for stalking another person;

(iv) ~~(the)~~ The stalker was armed with a deadly weapon, as defined in RCW 9.94A.825, while stalking the ~~((person))~~ victim;

(v)(A) ~~((the stalker's))~~ The victim is or was a law enforcement officer; judge; juror; attorney; victim advocate; legislator; community corrections' officer; an employee, contract staff person, or volunteer of a correctional agency; court employee, court clerk, or courthouse facilitator; or an employee of the child protective, child welfare, or adult protective services division within the department of social and health services; and

(B) ~~(the)~~ The stalker stalked the victim to retaliate against the victim for an act the victim performed during the course of official duties or to influence the victim's performance of official duties; or

(vi) ~~((the stalker's))~~ The victim is a current, former, or prospective witness in an adjudicative proceeding, and the stalker stalked the victim to retaliate against the victim as a result of the victim's testimony or potential testimony.

(6) As used in this section:

(a) "Actual notice" includes, in addition to any other form of actual notice, circumstances in which the other person has a protective order in effect protecting him or her from the person.

(b) "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the other person.

(c) "Correctional agency" means a person working for the department of natural resources in a correctional setting or any state, county, or municipally operated agency with the authority to direct the release of a person serving a sentence or term of confinement and includes but is not limited to the department of corrections, the indeterminate sentence review board, and the department of social and health services.

~~((b))~~ (d) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. "Course of conduct" includes, in addition to any other form of communication, contact, or conduct, the sending of an electronic communication, but does not include constitutionally protected free speech. Constitutionally protected activity is not included within the meaning of "course of conduct."

~~((e))~~ (e) "Electronic tracking device" means an electronic device that permits a person to remotely determine or monitor the position and movement of another person, vehicle, device, or other personal possession. As used in this subsection (6)(e), "electronic device" includes computer code or other digital instructions that once installed on a digital device, allows a person to remotely track the position of that device.

(f) "Follows" means deliberately maintaining visual or physical proximity to a specific person over a period of time. A finding that the ((alleged)) stalker repeatedly and deliberately appears at the person's home, school, place of employment, business, or any other location to maintain visual or physical proximity to the

person is sufficient to find that the ~~((alleged))~~ stalker follows the person. It is not necessary to establish that the ~~((alleged))~~ stalker follows the person while in transit from one location to another.

~~((d))~~ (g) "Harasses" means a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, harasses, or is detrimental to such person, and which serves no legitimate or lawful purpose. ((The course of conduct shall be such as would cause a reasonable person to suffer substantial emotional distress, and shall actually cause substantial emotional distress to the petitioner, or when the course of conduct would cause a reasonable parent to fear for the well being of his or her child.

~~((e))~~ (h) "Protective order" means any temporary or permanent court order prohibiting or limiting violence against, harassment of, contact or communication with, or physical proximity to another person.

~~((f))~~ (i) "Repeatedly" means on two or more separate occasions.

(j) "Substantial emotional distress" means a mental, emotional, or physical reaction such as anxiety, apprehension, or loss of ability to concentrate or other symptoms, whether or not medical or other professional treatment or counseling is sought or required, which degrades the victim's quality of life.

NEW SECTION. Sec. 2. RCW 9A.90.130 (Cyberstalking) and 2022 c 231 s 3 are each repealed."

On page 1, line 1 of the title, after "offenses;" strike the remainder of the title and insert "amending RCW 9A.46.110; and repealing RCW 9A.90.130."

Senator Dhingra spoke in favor of the motion to not adopt the committee striking amendment.

The Vice President Pro Tempore declared the question before the Senate to be to not adopt the committee striking amendment by the Committee on Law & Justice to House Bill No. 1696.

The motion by Senator Dhingra carried and the committee striking amendment was not adopted by voice vote.

## MOTION

Senator Dhingra moved that the following striking amendment no. 0262 by Senator Dhingra be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9A.46.110 and 2021 c 215 s 111 are each amended to read as follows:

(1)(A) A person commits the crime of stalking if, without lawful authority ((and under circumstances not amounting to a felony attempt of another crime:

~~((a) He or she intentionally))~~ the person:

~~((or repeatedly follows))~~ (i) Intentionally and repeatedly harasses ~~((or repeatedly follows))~~ another person;

(ii) Repeatedly follows another person;

(iii) Contacts, follows, tracks, or monitors, or attempts to contact, follow, track, or monitor another person after being given actual notice that the person does not want to be contacted, followed, tracked, or monitored; or

(iv) Knowingly and without consent installs or monitors an electronic tracking device, or causes an electronic tracking device to be installed, placed, or used, to track the location of another person; and

(b) The person being harassed ~~((or)),~~ followed, tracked, or monitored suffers substantial emotional distress or is placed in fear that the stalker intends to injure ~~((the person))~~ him or her, or another person, or his or her property ~~((of the person))~~ or the

property of another person, or, in the circumstances identified in (a)(iv) of this subsection, the victim's knowledge of the tracking device would reasonably elicit substantial emotional distress or fear. The feeling of substantial emotional distress or fear must be one that a reasonable person in the same situation would experience ((under all)) given the totality of the circumstances(; and

- (c) The stalker either:
  - (i) Intends to frighten, intimidate, or harass the person; or
  - (ii) Knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person).

(2)(a) It is not a defense to the crime of stalking under subsection (1)((~~(e)(ii)~~)) (a)(i), (ii), or (iv) of this section that the stalker was not given actual notice that the person did not want the stalker to contact ((~~(or)~~), follow ((~~the person~~)), track, or monitor him or her; and

(b) It is not a defense to the crime of stalking under subsection (1)((~~(e)(ii)~~)) (a)(i) of this section that the stalker did not intend to frighten((;)) or intimidate((, or harass)) the person or place the person in substantial emotional distress.

(3) It shall be a defense to the crime of stalking that the defendant is a licensed private investigator acting within the capacity of his or her license as provided by chapter 18.165 RCW.

(4) ((Attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed constitutes prima facie evidence that the stalker intends to intimidate or harass the person. "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the person.)) The provisions of this section do not apply to the installation, placement, or use of an electronic tracking device by any of the following:

(a) A law enforcement officer, judicial officer, probation or parole officer, or other public employee when any such person is engaged in the lawful performance of official duties and in accordance with state or federal law;

(b) The installation, placement, or use of an electronic tracking device authorized by an order of a state or federal court;

(c) A legal guardian for a disabled adult or a legally authorized individual or organization designated to provide protective services to a disabled adult when the electronic tracking device is installed, placed, or used to track the location of the disabled adult for which the person is a legal guardian or the individual or organization is designated to provide protective services;

(d) A parent or legal guardian of a minor when the electronic tracking device is installed, placed, or used to track the location of that minor unless the parent or legal guardian is subject to a court order that orders the parent or legal guardian not to assault, threaten, harass, follow, or contact that minor;

(e) An employer, school, or other organization, who owns the device on which the tracking device is installed and provides the device to a person for use in connection with the person's involvement with the employer, school, or other organization and the use of the device is limited to recovering lost or stolen items; or

(f) The owner of fleet vehicles, when tracking such vehicles. For the purposes of this section, "fleet vehicle" means any of the following:

(i) One or more motor vehicles owned by a single entity and operated by employees or agents of the entity for business or government purposes;

(ii) Motor vehicles held for lease or rental to the general public; or

(iii) Motor vehicles held for sale, or used as demonstrators, test vehicles, or loaner vehicles, by motor vehicle dealers.

(5)(a) Except as provided in (b) of this subsection, a person who stalks another person is guilty of a gross misdemeanor.

(b) A person who stalks another person is guilty of a class B felony if any of the following applies:

(i) The stalker has previously been convicted in this state or any other state of any crime of harassment, as defined in RCW 9A.46.060(~~(, of the same victim or members of the victim's family or household or any person specifically named in a protective order));~~

(ii) ((~~the~~)) The stalking violates any protective order protecting the ((person being stalked)) victim;

(iii) ((~~the~~)) The stalker has previously been convicted of a gross misdemeanor or felony stalking offense under this section for stalking another person;

(iv) ((~~the~~)) The stalker was armed with a deadly weapon, as defined in RCW 9.94A.825, while stalking the ((person)) victim;

(v)(A) ((~~the stalker's~~)) The victim is or was a law enforcement officer; judge; juror; attorney; victim advocate; legislator; community corrections' officer; an employee, contract staff person, or volunteer of a correctional agency; court employee, court clerk, or courthouse facilitator; or an employee of the child protective, child welfare, or adult protective services division within the department of social and health services; and

(B) ((~~the~~)) The stalker stalked the victim to retaliate against the victim for an act the victim performed during the course of official duties or to influence the victim's performance of official duties; or

(vi) ((~~the stalker's~~)) The victim is a current, former, or prospective witness in an adjudicative proceeding, and the stalker stalked the victim to retaliate against the victim as a result of the victim's testimony or potential testimony.

(6) As used in this section:

(a) "Actual notice" includes, in addition to any other form of actual notice, circumstances in which the other person has a protective order in effect protecting him or her from the person.

(b) "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the other person.

(c) "Correctional agency" means a person working for the department of natural resources in a correctional setting or any state, county, or municipally operated agency with the authority to direct the release of a person serving a sentence or term of confinement and includes but is not limited to the department of corrections, the indeterminate sentence review board, and the department of social and health services.

((~~(b)~~)) (d) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. "Course of conduct" includes, in addition to any other form of communication, contact, or conduct, the sending of an electronic communication, but does not include constitutionally protected free speech. Constitutionally protected activity is not included within the meaning of "course of conduct."

((~~(e)~~)) (e) "Electronic tracking device" means an electronic device that permits a person to remotely determine or monitor the position and movement of another person, vehicle, device, or other personal possession. As used in this subsection (6)(e), "electronic device" includes computer code or other digital instructions that once installed on a digital device, allows a person to remotely track the position of that device.

(f) "Follows" means deliberately maintaining visual or physical proximity to a specific person over a period of time. A finding that the ((~~alleged~~)) stalker repeatedly and deliberately appears at the person's home, school, place of employment, business, or any other location to maintain visual or physical proximity to the

EIGHTY SECOND DAY, MARCH 31, 2023

person is sufficient to find that the (~~alleged~~) stalker follows the person. It is not necessary to establish that the (~~alleged~~) stalker follows the person while in transit from one location to another.

~~((d)) (g) "Harasses" means a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, (~~harasses~~) torments, or is detrimental to such person, and which serves no legitimate or lawful purpose. ((The course of conduct shall be such as would cause a reasonable person to suffer substantial emotional distress, and shall actually cause substantial emotional distress to the petitioner, or when the course of conduct would cause a reasonable parent to fear for the well-being of his or her child.~~

~~((e)) (h) "Protective order" means any temporary or permanent court order prohibiting or limiting violence against, harassment of, contact or communication with, or physical proximity to another person.~~

~~((f)) (i) "Repeatedly" means on two or more separate occasions.~~

~~(j) "Substantial emotional distress" means a mental, emotional, or physical reaction such as anxiety, apprehension, or loss of ability to concentrate or other symptoms, whether or not medical or other professional treatment or counseling is sought or required, which degrades the victim's quality of life.~~

NEW SECTION. Sec. 2. RCW 9A.90.130 (Cyberstalking) and 2022 c 231 s 3 are each repealed."

On page 1, line 1 of the title, after "offenses;" strike the remainder of the title and insert "amending RCW 9A.46.110; and repealing RCW 9A.90.130."

#### MOTION

Senator Padden moved that the following amendment no. 0264 by Senator Padden be adopted:

On page 1, line 11, after "(ii)" strike "Repeatedly" and insert "Intentionally and repeatedly"

On page 1, line 12, after "(iii)" strike "Contact" and insert "Intentionally contacts"

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

The Vice President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 0264 by Senator Padden on page 1, line 11 to striking amendment no. 0262.

The motion by Senator Padden carried and amendment no. 0264 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 0262 by Senator Dhingra as amended to House Bill No. 1696.

The motion by Senator Dhingra carried and striking amendment no. 0262 as amended was adopted by voice vote.

#### MOTION

On motion of Senator Dhingra, the rules were suspended, House Bill No. 1696 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1696 as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1696 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Trudeau

HOUSE BILL NO. 1696, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

ENGROSSED HOUSE BILL NO. 1336, by Representatives Stokesbary, Springer, Reeves, Graham and Lekanoff

Splitting the volunteer firefighters' and reserve officers' relief and pension principal fund into two accounts.

The measure was read the second time.

#### MOTION

On motion of Senator Robinson, the rules were suspended, Engrossed House Bill No. 1336 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.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed House Bill No. 1336.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1336 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

ENGROSSED HOUSE BILL NO. 1336, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 1481, by Representatives Cortes, Stearns, Chopp, Chapman, Peterson, Jacobsen, Ramel, Orwall, Ormsby, Reeves, Senn, Leavitt, Ortiz-Self, Taylor, Bergquist and Pollet

Permitting general authority peace officers certificated by the criminal justice training commission and employed on a full-time basis by the government of a federally recognized tribe to participate in the law enforcement officers' and firefighters' retirement system plan 2.

The measure was read the second time.

#### MOTION

On motion of Senator Robinson, the rules were suspended, House Bill No. 1481 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.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1481.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1481 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1481, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 1004, by Representatives Abbarno, Orcutt, Berry, Simmons, Graham, Schmidt, Christian, Lekanoff, Griffey, Dye, Klicker, Wylie, Cheney, Davis and Riccelli

Installing signs on or near bridges to provide information to deter jumping.

The measure was read the second time.

#### MOTION

On motion of Senator Braun, the rules were suspended, House Bill No. 1004 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun and Lias spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1004.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1004 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, Hasegawa, Hawkins, Holy, Hunt, Kauffman, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Shewmake, Short, Stanford, Torres, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Trudeau

HOUSE BILL NO. 1004, having received the 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 advanced to the fourth order of business.

March 31, 2023

MR. PRESIDENT:

The Speaker has signed

ENGROSSED SUBSTITUTE SENATE BILL NO. 5272 and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

#### MOTION

At 12:20 p.m., on motion of Senator Pedersen, the Senate adjourned until 9:30 a.m. Monday, April 3, 2023.

JOHN LOVICK, Vice President Pro Tempore of the Senate

SARAH BANNISTER, Secretary of the Senate

1004		1419	
Second Reading .....	29	Second Reading .....	3
Third Reading Final Passage .....	29	Third Reading Final Passage .....	3
1017		1420	
Second Reading .....	4	Second Reading .....	8
Third Reading Final Passage .....	4	Third Reading Final Passage .....	8
1050-SE		1481	
Second Reading .....	23	Second Reading .....	29
Third Reading Final Passage .....	24	Third Reading Final Passage .....	29
1077-S		1514	
Second Reading .....	4	Second Reading .....	8
Third Reading Final Passage .....	4	Third Reading Final Passage .....	8
1088-S		1542	
Second Reading .....	5	Other Action.....	9
Third Reading Final Passage .....	5	Second Reading .....	9
1114		Third Reading Final Passage .....	9
Other Action.....	6	1544	
Second Reading .....	5	Second Reading .....	9
Third Reading Final Passage .....	6	Third Reading Final Passage .....	9
1165-S		1572-S	
Second Reading .....	6	Second Reading .....	10
Third Reading Final Passage .....	6	Third Reading Final Passage .....	10
1209-E		1620-S	
Second Reading .....	6	Second Reading .....	4
Third Reading Final Passage .....	7	Third Reading Final Passage .....	4
1222-SE		1645	
Other Action.....	25	Second Reading .....	10
Second Reading .....	24	Third Reading Final Passage .....	10
Third Reading Final Passage .....	25	1656	
1265		Second Reading .....	10
Second Reading .....	2	Third Reading Final Passage .....	10
Third Reading Final Passage .....	2	1657	
1287		Second Reading .....	11
Second Reading .....	3	Third Reading Final Passage .....	11
Third Reading Final Passage .....	3	1696	
1290		Other Action.....	27
Second Reading .....	7	Second Reading .....	25, 27, 28
Third Reading Final Passage .....	7	Third Reading Final Passage .....	28
1312		1782-E	
Other Action.....	8	Other Action.....	11
Second Reading .....	7	Second Reading .....	11
Third Reading Final Passage .....	8	Third Reading Final Passage .....	11
1336-E		5003	
Second Reading .....	28	Other Action.....	1
Third Reading Final Passage .....	29	5005-S	
1352-S		Other Action.....	1
Second Reading .....	3	5033-S	
Third Reading Final Passage .....	3	Other Action.....	1

5036	5293-S
Other Action..... 1	Second Reading ..... 22, 23
5079	5293-SE
Other Action..... 1	Third Reading Final Passage ..... 23
5121-S	5394
Other Action..... 1	Other Action..... 1
5122	5490-S
Other Action..... 1	Other Action..... 1
5142-SE	5729-S
Other Action..... 1	Other Action..... 1
5199	8615
Second Reading ..... 12	Adopted..... 2
5199-S2	Introduced ..... 2
Second Reading ..... 12	9342 Johnson, Christine
5199-S2E	Introduction..... 1
Third Reading Final Passage ..... 17	9343 Young, Nancy
5218	Introduction..... 2
Second Reading ..... 22	CHAPLAIN OF THE DAY
5218-S	Saldana, Senator Rebecca, 37th Legislative
Second Reading ..... 22	District, Seattle..... 1
Third Reading Final Passage ..... 22	FLAG BEARERS
5258	Guebara, Miss Alexis..... 1
Second Reading ..... 17	Kaur, Miss Prabhnoor ..... 1
5258-S2	GUESTS
Second Reading ..... 17	Kuykendall, Mr. Bryce, Pledge of Allegiance
5258-S2E	..... 1
Third Reading Final Passage ..... 17	LeBleu, Ms. Kerry, Blessing Movement ..... 2
5272-SE	Sumner-Bonney Lake Community Based
Messages ..... 30	Transition Program interns ..... 2
5275-S	Sumner-Bonney Lake high schools students 2
Other Action..... 1	Sumner-Bonney Lake School District
5277	representatives..... 2
Second Reading ..... 18	The Bear Creek School students ..... 11
Third Reading Final Passage ..... 22	MESSAGE FROM GOVERNOR ..... 1
5293	Gubernatorial Appointments..... 1
Second Reading ..... 22	